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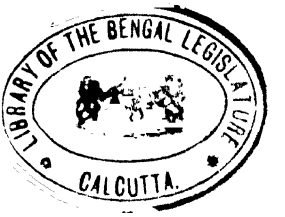


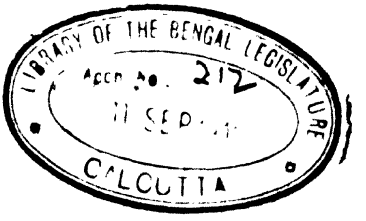

# Assembly Proceedings

## Official Report

# Bengal Legislative Assembly

## Thirteenth Session, 1942

**The 16th, 17th, 19th, 20th, 21st, 23rd and 24th March, 1942**




Superintendent, Government Printing
Bengal Government Press, Alipore, Bengal
1942

## GOVERNMENT OF BENGAL.

GOVERNOR OF BENGAL.

His Excellency Sir JOHN ARTHUR HERBERT, G.C.I.E.

MEMBERS OF THE COUNCIL OF MINISTERS.

(1) The Hon'ble Mr. ABUL KASEM FAZLUL HUQ, in charge of the Home and Publicity Departments.

(2) The Hon'ble Dr. SYAMAPRASAD MOOKERJEE, in charge of the Finance Department.

(3) The Hon'ble Nawab Khwaja HABIBULLAH Bahadur, of Dacca, in charge of the Agriculture and Industries Department.

(4) The Hon'ble Mr. SANTOSH KUMAR BASU, in charge of the Public Health and Local Self-Government Department.

(5) The Hon'ble Khan Bahadur M. ABDUL KARIM, in charge of the Education Department and of the Commerce and Labour Department.

(6) The Hon'ble Mr. PRAMATHA NATH BANERJEE, in charge of the Revenue Department and of the Judicial and Legislative Departments.

(7) The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN, in charge of the Co-operative Credit and Rural Indebtedness Department.

(8) The Hon'ble Mr. SHAMSUDDIN AHMED, in charge of the Communications and Works Department.

(9) The Hon'ble Mr. UPENDRA NATH BARMAN, in charge of the Forest and Excise Department.

## GOVERNMENT OF BENGAL.

### PRINCIPAL OFFICERS OF THE BENGAL LEGISLATIVE ASSEMBLY.

SPEAKER:

The Hon'ble Sir MUHAMMAD AZIZUL HAQUE, C.I.E., Khan Bahadur.

DEPUTY SPEAKER:

SYED JALALUDDIN HASHEMY, Esq.

SECRETARY:

K. ALI AFZAL, Esq., Barrister-at-Law.

FIRST ASSISTANT SECRETARY:

Khan Sahib QUAZI MUHAMMAD SADRUL OLA.

SECOND ASSISTANT SECRETARY:

A. B. CHATERJI, Esq.

REGISTRAR:

MANZURA QUADERI, Esq.

# THE BENGAL LEGISLATIVE ASSEMBLY PROCEEDINGS

**Official Report of the Thirteenth Session.**

**Volume LXII—No. 3.**

## Proceedings of the Bengal Legislative Assembly assembled under the Provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Monday, the 16th March, 1942, at 8-30 a.m.

**Present:**

Mr. Deputy Speaker (Mr. SYED JALALUDDIN HASHEMY) in the Chair, 9 Hon'ble Ministers and 193 members.

## STARRED QUESTIONS

**(to which oral answers were given)**

### Extension of service in Bengal Medical Service.

***158. Mr. RASIK LAL BISWAS:** (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government (Medical) Department be pleased to state whether any person in the Bengal Medical Service now employed under the Medical Department of the Government of Bengal has been granted extension of service?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to lay on the Table a statement showing—

(*i*) their names;

(*ii*) number of extensions granted in each case; and

(*iii*) reasons of such extensions?

**MINISTER in charge of the PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Santosh Kumar Basu):** (*a*) Yes.

(*b*) A statement is laid on the Table.

*Statement referred to in reply to starred question No. 158.*

CASES OF EXTENSIONS WITH REASONS IN EACH CASE.

1. Dr. Dinesh Chandra Chakravarty, F.R.C.S., M.B.E., Professor of Clinical Surgery, Medical College, Calcutta, has been granted an extension of one year only with effect from the 16th December, 1941, on the ground that Government could ill afford to lose the services of an eminent surgeon like him at the Medical College Hospitals especially in view of the emergent conditions in connection with the war.

2. Dr. Biraj Mohan Das Gupta, Officiating Professor of Protozoology, School of Tropical Medicine, Calcutta, has been granted an extension of one year only with effect from the 16th April, 1942. The School being an important Research Institute, persons of long experience and highly specialised knowledge are required to fill the posts of Professors. As first rate candidates would not be available during the war time, the services of Dr. Das Gupta have been retained beyond the date of superannuation.

3. Dr. Dabiruddin Ahmed, O.B.E., Officiating Superintendent, Campbell Medical School and Hospital, Calcutta, was granted an extension of service for 6 months with effect from the 6th October, 1940, which was followed by another extension for 6 months. A further extension has been granted to him up to the 25th May, 1942.

4. Dr. Ahmed was due to retire on the 6th October, 1940, when he was Professor of Medical Jurisprudence, Medical College, Calcutta, and Superintendent, Mental Observation Ward, Bhowanipore. Apart from the particular fitness of Dr. Ahmed for this post, there was no other Medical Officer in the department or outside it who could succeed him in that post which requires considerable experience in teaching and medico-legal work. Moreover many important posts fell vacant owing to the recall of some senior I.M.S. officers to military duty, and retention of Dr. Ahmed in service to fill one of these posts was considered all the more necessary in the interest of public service.

**Government grant to village dispensaries.**

***159. Maulvi MANIRUDDIN AKHAND:** (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state whether all the village dispensaries are getting Government grants?

(*b*) If the answer to (*a*) is in the negative, will the Hon'ble Minister be pleased to state the reason therefor?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** (*a*) No.

(*b*) The responsibility for establishment and maintenance of rural dispensaries vests in the local bodies although Government have shared this responsibility by inaugurating the policy of making grants to rural dispensaries since 1922-23. Under this policy, grants at the rate of Rs. 250 for a village dispensary and Rs. 500 for a thana dispensary are paid each year to dispensaries which satisfy the conditions attached to the grant and are recommended by the Divisional Commissioners. The conditions are briefly as below:—

(1) No grant is paid to a dispensary which is not reported by the Civil Surgeon to be efficiently managed.

(2) No grant is paid to more than one dispensary in a thana so long as there remains a thana in the district without a dispensary.

(3) No grant is paid to a private dispensary unless it is taken over or aided by the local body or bodies.

(4) No grant is made to a dispensary established before 1922-23, as the policy was given effect to in 1922-23 in order to encourage the local bodies to establish larger number of dispensaries.

(5) No grant is paid to a dispensary which received capital grant out of Government of India grant for rural uplift on condition that the recurring expenditure would be met locally.

**Khan Bahadur MOHAMMED ALI:** Will the Hon'ble Minister be pleased to state if he is aware of the fact that there are many dispensaries which satisfy all the conditions enumerated in the answer but are not in receipt of any Government grant?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** I am sorry to hear that. I shall personally look into such cases if the honourable member supplies me with the necessary information.

**Sj. NARENDRA NATH DAS GUPTA:** Is the Hon'ble Minister aware of the fact that a dispensary in Baga in the district of Barisal was not granted Government aid because it was efficiently managed by the Union Board contributions and local subscriptions?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** If the honourable member will supply me with the necessary information, I shall certainly look into the matter.

**Mr. SIBNATH BANERJEE:** Will the Hon'ble Minister be pleased to state whether, in view of the fact that the hospitals in the cities are being cleared of the patients, he will consider the desirability of giving more grants to village dispensaries?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** So far as the village dispensaries are concerned, they cannot supply the need which the city hospitals were supplying. So, I do not see how these two questions can be connected.

**Maulvi AHMED ALI MRIDHA:** With reference to answer (*b*)(*5*), will the Hon'ble Minister be pleased to state what is the policy underlying that answer? There is a great need for dispensaries in the rural areas for which the Union Boards are unable to raise local contributions and towards which Government do not give any grants. Is it the policy of Government to deny the needs of the people for nothing?

**Mr. DEPUTY SPEAKER:** The policy is a very wide question. The policy is enunciated——

**Maulvi AHMED ALI MRIDHA:** In view of the fact that the people in rural areas are very poor, will the Hon'ble Minister be pleased to say whether the Government will consider the desirability of changing the policy enunciated?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** That raises a very important question which requires to be looked into.

**Mr. CHARU CHANDRA ROY:** Will the Hon'ble Minister be pleased to tell the House whether in view of the increase in the number of deaths of maternity cases (both deaths of mothers at the time of delivery and the deaths of children) every year in Bengal, Government are considering the question of supplying every such dispensary with a midwife in the rural areas as there is a dearth of midwives in those areas?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** I shall deal with that question when I shall deal with the question of maternity mortality in Bengal in the course of the budget discussion.

**Amount provided for improvement of Sadar Hospitals in 1941-42.**

***160. Maulvi MANIRUDDIN AKHAND:** Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

(*a*) the amount provided for the improvement of Sadar Hospitals in 1941-42;

(*b*) the amount that has been saved from the grant during the period; and

(*c*) the reasons for the savings?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** (*a*) A sum of Rs.2,20,000 was provided for making capital grant towards improvement of Sadar Hospitals in 1941-42.

(*b*) The entire amount remained unspent during the year 1941-42.

(*c*) Grants for improvement of Sadar Hospitals are made on condition that a share in the capital expenditure and the entire additional recurring expenditure involved in the scheme of improvement will be met by the local bodies concerned from local sources. The total provision remained unutilised due to incapacity of the local bodies to participate in the grant after satisfying the above condition.

**Khan Bahadur MOHAMMED ALI:** Will the Hon'ble Minister be pleased to state whether in view of the fact that the local bodies are unable to make provision for recurring grant on account of paucity of funds, the Government are considering the desirability of immediately provincialising the Sadar and Subdivisional Hospitals?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** That question is under consideration.

**Dr. NALINAKSHA SANYAL:** Will the Hon'ble Minister be pleased to state if contribution from local gentlemen, not from local bodies, will be considered as sufficient inducement for Government to provide funds out of the allotted amount for Sadar Hospitals?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** That question has not yet been considered by Government. Personally speaking I shall consider that a most welcome move.

**Dr. NALINAKSHA SANYAL:** Is it a fact that for the Berhampore Sadar Hospital a large amount has already been provided by the Maharaja of Lalgola and a full report thereon with a list of the requirements and improvements including the extension of Tuberculosis Ward

and the Child Maternity Welfare Ward has been submitted at an estimated cost of Rs. 50,000 against which the Maharaja of Lalgola has promised nearly double the amount that the Government are requested to provide for? Will the Hon'ble Minister be pleased to state what has happened to that petition which was submitted complete in every respect nearly 4 months ago?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** I shall look into the matter immediately.

**Mr. DHIRENDRA NATH DATTA:** Will the Hon'ble Minister be pleased to state what share of the capital expenditure is demanded by the Government?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** I think that there is no fixed share which has been determined yet, but it varies from 50 per cent. to 75 per cent.

**Khan Bahadur MOHAMMED ALI:** In view of the assurance given by the Hon'ble Minister just now, will he be pleased to state if he is considering the desirability of provincialising the Sadar and Subdivisional Hospitals during the current financial year?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** I am afraid it cannot be done.

### Separate beds for Europeans in hospitals.

***161. Maulvi M. MOSLEM ALI MOLLAH:** (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state whether there are separate wards or beds for European patients attached to every hospital in the Province either managed or aided by Government?

(*b*) If so, will the Hon'ble Minister be pleased to state the reason thereof?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** (*a*) There are no separate wards or beds exclusively for European patients in any Government or Government-aided hospital in the Province. Even in the Presidency General Hospital which is primarily intended for Europeans, Indian patients accustomed to European diet and mode of living may be admitted.

(*b*) Does not arise.

**Mr. ATUL CHANDRA SEN:** Will the Hon'ble Minister be pleased to consider the desirability of giving a comparative estimate of costs incurred for maintaining patients of European and Indian Wards respectively?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** I am afraid, I cannot give it now. I want notice.

**Khan Bahadur MOHAMMED ALI:** Will the Hon'ble Minister be pleased to state what percentage of accommodation in the Presidency General Hospital is open to Indian patients?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** I want notice.

**Mr. ATUL CHANDRA SEN:** Is the Hon'ble Minister aware that the cost of diet of European patients is much higher than that of Indian patients?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** I think so.

**Mr. ATUL CHANDRA SEN:** Will the Hon'ble Minister be pleased to consider the desirability of increasing the food value of the diet allowed to Indian patients and also of giving better amenities to them?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** So far as I remember, a suggestion has already been made to abolish the distinction between Indian and European beds and cost of diet and to arrive at a uniform scale by raising the Indian standard and reducing the European standard, but no decision has yet been arrived.

**Khan Bahadur MOHAMMED ALI:** Is the Hon'ble Minister aware of the fact that there are separate wards for European and Indian patients in the hospital attached to the Indian School of Tropical Medicine?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** I am not aware of that.

**Mr. ATUL CHANDRA SEN:** Will the Hon'ble Minister be pleased to state when was the suggestion for the abolition of distinction between European and Indian patients, just referred to by him, given to the Government?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** *The suggestion* came very recently to my notice.

**Mr. MADHUSUDAN SARKER:** Will the Hon'ble Minister be pleased to state whether there is any differential treatment between European and Indian patients regarding their diet?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** I have already answered that question.

**Dr. NALINAKSHA SANYAL:** With reference to the answer just now given that the suggestion has come very recently to his notice, will the Hon'ble Minister be pleased to state what was the period that had elapsed between the receiving of the question and the bringing of the suggestion to his notice, and if there was delay, who is responsible for it?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** This matter came to my notice in connection with this particular question.

### Arrest and detention of Mr. Sarat Chandra Bose.

*162. **Babu NAGENDRA NATH SEN:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*i*) whether Mr. Sarat Chandra Bose was arrested and detained in Calcutta in December last;

(*ii*) if so, the reason of the arrest;

(*iii*) whether the arrest was done under orders of the Government of Bengal;

(*iv*) if not, under whose orders;

(*v*) whether he has been transferred from Calcutta;

(*vi*) if so, his present whereabouts;

(*vii*) whether there was any attempt by the Bengal Government for postponing his transfer;

(*viii*) whether any allowance has been granted to him; and

(*ix*) if so, from what funds?

(*b*) Will the Hon'ble Minister be pleased to state—

(*i*) whether any steps have been taken for the release or transfer of Mr. Bose in Bengal; and

(*ii*) if so, with what result?

**MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq):** (*a*) (*i*) Yes.

(*ii*) The attention of the honourable member is invited to the Press Communiqué issued by the Government of India on the 11th December, 1941.

(*iii*) and (*iv*) Under orders of the Government of Bengal upon directions of the Central Government.

(*v*) Yes.

(*vi*) He is at present detained in the Trichinopoly Jail in Madras. I have seen in newspapers that he is to be transferred to some other jail but no official communication has reached us yet. He has not yet been transferred from Trichinopoly.

(*vii*) No, but I endeavoured to get into touch with the Home Member with this object.

(*viii*) An allowance has been made to his family.

(*ix*) From Central Revenues.

(*b*) (*i*) My colleagues and myself have approached the Government of India in the matter.

(*ii*) The Government of India did not agree to Mr. Bose's release or transfer to Bengal.

**Babu NAGENDRA NATH SEN:** With reference to answer (*a*) (*viii*), will the Hon'ble Minister be pleased to state what is the amount of this allowance?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Rs. 1,000 a month.

**Mr. Khwaja SHAHABUDDIN:** With reference to answer (*b*)(*i*), will the Hon'ble Minister be pleased to state if the Government of Bengal, as distinct from any individual Minister or Ministers, have made any representation to the Government of India with regard to the release of Mr. Sarat Chandra Bose?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** My answer is that the Council of Ministers have made a representation.

**Mr. Khwaja SHAHABUDDIN:** Sir, I seek the protection of the Chair for my question which is very clear and simple being properly answered. My question specifically asks whether the Government of Bengal, as such, have made any representation——

**Mr. DEPUTY SPEAKER:** But you have got a clear answer to that question.

**Mr. Khwaja SHAHABUDDIN:** May I make a submission to you, Sir, in this connection? With regard to this question very definite requests have been made to the Home Minister who is also the Chief Minister by the Leader of the Opposition that Government should make its position very clear whether they are satisfied that the arrest and detention of Mr. Sarat Chandra Bose is justified. And my question is whether the Government of Bengal, as such, have made any representation to the Government of India for the release of Mr. Sarat Chandra Bose or for his transfer. Furthermore, answer (*b*) (*i*) says that the Ministers have made some representations, and I want to know if the Government of Bengal, as such, have made any representation.

**Mr. DEPUTY SPEAKER:** He has given a suitable reply already. (Cries of "No", "No", from the Opposition Benches.)

**The Hon'ble Mr. A. K. FAZLUL HUQ:** The ex-Chief Whip of the Government knows very well the constitutional position and it is no use pursuing the question any further. I will not be drawn out in a discussion on this point because I have already given the answer that the Council of Ministers have made a representation and I will not go further.

**Dr. NALINAKSHA SANYAL:** Will the Hon'ble Minister be pleased to state, with reference to answer (*b*) (*i*), whether the Council of Ministers made any written representation, and if so, will the Hon'ble Minister be pleased to lay on the Library Table a copy of that written representation?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** The representation was a written representation as elaborate as the Council of Ministers could make it. As for laying it on the Library Table I think it will not help our cause because we are still in communication with the Government of India.

**Dr. NALINAKSHA SANYAL:** Will the Hon'ble Minister be pleased to state if in that representation nothing short of complete and unconditional release of Mr. Sarat Chandra Bose was the issue?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** As far as my recollection goes, release or, in the alternative, transfer to Bengal, or trial by a competent court were the issues raised.

**Dr. NALINAKSHA SANYAL:** Will the Hon'ble Minister be pleased to state if in connection with that representation and personal discussion was held between the authorities of the Central Government and the Council of Ministers or any representative or representatives of the Council of Ministers?

(At this stage when there was a little delay in giving the reply, there were loud outbursts of laughter from the Opposition Benches.)

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Now in answer to the uproarious laughter I want to say that individual Ministers did consult the Government of India authorities.

**Dr. NALINAKSHA SANYAL:** What reply did such individual Ministers who represented the case personally on behalf of the Council of Ministers get from the Central Government?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** May I draw the attention of the honourable member to my answer to question (*b*) (*ii*) in this connection?

**Khan Bahadur MOHAMMED ALI:** Will the Hon'ble Minister be pleased to state whether the Government of India's refusal was made by any written communication or at the time of the interview?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** By a written communication.

**Mr. AHMED ALI MRIDHA:** Will the Hon'ble Minister be pleased to state whether the representation made by the Council of Ministers was done on the spur of the moment or whether it was arrived at after a thorough examination?

(No reply.)

**Mr. H. S. SUHRAWARDY:** Will the Hon'ble Minister be pleased to state if we are to understand that the Government of Bengal have made no representation to the Government of India?

**Mr. DEPUTY SPEAKER:** That question does not arise.

**Mr. H. S. SUHRAWARDY:** Will the Hon'ble Minister be pleased to state if the Government of Bengal have thought it desirable to approach the Government of India to ascertain from the Government of India the reasons for the detention and arrest of Mr. Sarat Chandra Bose and if the Government of Bengal are satisfied that his detention and arrest are justified?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, personally I can say that we will be prepared to do that provided we get a written representation from the Opposition that they really want the release of Mr. Sarat Chandra Bose unconditionally.

**Dr. NALINAKSHA SANYAL:** In view of the answer *(b) (ii)*, will the Hon'ble Minister be pleased to state what further steps the Council of Ministers of the Government of Bengal propose to take in this matter in order to secure either the release or the transfer or the trial of Mr. Sarat Chandra Bose?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** That particular matter is still engaging our attention.

**Mr. KIRAN SANKAR ROY:** Mr. Deputy Speaker, in view of the reply of the Hon'ble Chief Minister to a question put by Mr. Suhrawardy, it may be taken that the word "Opposition" also refers to us. We certainly on this side of the House are prepared to——

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, I did not mean them.

**Mr. KIRAN SANKAR ROY:** The Hon'ble Chief Minister may please make that clear.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I meant the new supporters of Mr. Sarat Chandra Bose.

**Mr. FAZLUR RAHMAN:** Sir, we have not received any answer to the supplementary question put by Mr. Suhrawardy. The question was whether the Government of Bengal have satisfied themselves——

**Mr. DEPUTY SPEAKER:** Are you putting that question?

**Mr. FAZLUR RAHMAN:** We want an answer. We want your protection.

**Mr. DEPUTY SPEAKER:** What is your question?

**Mr. FAZLUR RAHMAN:** The question is whether the Government of Bengal has approached the Government of India to know the reasons why Mr. Sarat Chandra Bose was arrested and detained and whether the Government of Bengal has been satisfied whether his arrest or detention was justified?

**Mr. DEPUTY SPEAKER:** The answer has been given.

**Mr. H. S. SUHRAWARDY:** Sir, the answer given was that if the Opposition desired that Mr. Bose should be released, then and then only the Chief Minister would be in a position to consider the matter. I wish to know if the Government of Bengal approached the Government of India on this matter?

**Mr. DEPUTY SPEAKER:** The Hon'ble Minister has repeatedly said that he would consider that question.

**Mr. FAZLUR RAHMAN:** Sir, I want to put a supplementary question.

**Mr. DEPUTY SPEAKER:** Please sit down.

**Mr. Khwaja SHAHABUDDIN:** On a point of order, Sir. I submit that the answer to Mr. Suhrawardy's question has not been given by the Hon'ble Chief Minister. The question was——

**Mr. DEPUTY SPEAKER:** Please sit down. If you are not satisfied with the answer, you can move a relevant motion. I cannot force an answer from the Hon'ble Minister. It is up to you to move a relevant motion for that.

**Mr. FAZLUR RAHMAN:** Will the Hon'ble Minister please state who was the authority who gave effect to the order of the Government of India for transferring Mr. Sarat Chandra Bose from Bengal to Trichinopoly?

**Mr. DEPUTY SPEAKER:** That is a matter for the Government of India and not for the Government of Bengal.

**Mr. FAZLUR RAHMAN:** No, Sir, he has been transferred to Trichinopoly, it is stated in the question and I would like to know who gave effect to the order of the Government of India. Is it the Government of Bengal who gave effect to it or an agent of the Government of India?

**Mr. DEPUTY SPEAKER:** That is a matter absolutely for the Government of India. Government of Bengal have got nothing to do with it.

**Mr. H. S. SUHRAWARDY:** Are we to understand that the Progressive Coalition Party does not want the release of Mr. Sarat Chandra Bose?

**Mr. DEPUTY SPEAKER:** That question does not arise.

### Home-internment of Munshi Siddiqullah.

***163. Mr. SYED ABDUL MAJID:** (*a*) Is the Hon'ble Minister in charge of the Home Department aware that Munshi Siddiqullah of Eajbutia, police-station Sudharam, district Noakhali, has been home-interned for 3 months?

(*b*) *If so, will the Hon'ble Minister be pleased to state the reason therefor?*

(*c*) Will the Hon'ble Minister be pleased to state whether the Government contemplate granting him any allowance during the period of his internment?

(*d*) Is it a fact that he has also been served with notice to show cause why he should not be prosecuted for participating in demonstration on the occasion of the visit of the Hon'ble Chief Minister and other Ministers to Noakhali?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** (*a*) An order to this effect was served on him; but was subsequently withdrawn on his representation.

(*b*) The reasons are shown in the orders, copies of which are laid on the Library Table.

(*c*) Does not arise.

(*d*) No.

**Mr. FAZLUR RAHMAN:** Has the Hon'ble Minister satisfied himself whether discretion vested in the District Magistrate was exercised properly or not?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I have asked for a full report and I shall be glad to consider the question from the point of view suggested by the honourable member.

**Mr. FAZLUR RAHMAN:** Sir, will you kindly hold over the question till the report is received?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, it may not be held over. The question may be repeated. I will place all the facts as soon as I get them. But I have no objection to the question being held over.

**Mr. DEPUTY SPEAKER:** All right. The question will remain held over.

### Handcuffs to Defence of India Rule prisoners.

***164. Rai HARENDRA NATH CHAUDHURI:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether it is a fact that persons arrested, tried and convicted

under the Defence of India Rules are handcuffed by the police while they are brought to the police-stations under arrest or produced before the courts during the trial period?

(*b*) Is the Hon'ble Minister aware that previously there was no such practice in the matter of treatment of civil disobedience prisoners?

(*c*) If so, is the Hon'ble Minister considering the desirability of issuing orders not to use handcuffs on such prisoners?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** (*a*) The Defence of India Rule prisoners are treated as prisoners under the ordinary law, and their escort is governed by rules 312, 313, 392, 700 and 721, Police Regulations, Bengal, Volume I.

(*b*) There has been no change in the practice in the matter of the treatment of civil disobedience prisoners, and they are now treated, as before, like ordinary prisoners, and handcuffs are only used when justified under the Police Regulations, Bengal, rules.

(*c*) Does not arise.

**Dr. NALINAKSHA SANYAL:** Will the Hon'ble Minister be pleased to state if in view of the present position Government is considering the desirability of changing the Police Regulations to enable respectable persons who are clapped under the Defence of India Rules or otherwise to be treated with some amount of consideration?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Yes, Sir, we are very anxiously considering the whole question.

### Method of realisation of war contribution.

***165. Mr. NISHITHA NATH KUNDU:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether his attention has been drawn to the speech of the Hon'ble the Chief Minister of the 11th March, 1941 (reference page 99 of Assembly Proceedings, Volume LIX, No. 3), in reply to the cut motion regarding method of realisation of war contributions?

(*b*) If so, will the Hon'ble Minister be pleased to state—

(*i*) whether any enquiry has been made in respect of the allegations as indicated in the reply of the Chief Minister;

(*ii*) if so, the result thereof;

(*iii*) when and by whom the enquiry was made; and

(*iv*) whether the mover of the cut motion was informed of such enquiry?

(*c*) If no enquiry has been made, will the Hon'ble Minister be pleased to state the reason thereof?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** (*a*) and (*b*) (*i*) Yes.

(*ii*) In general it was found that no complaints had been received. In Dacca it was found that there was no substance in one alleged case. An allegation was made in another case, but it was found that no realisation had been made.

(*iii*) In August, 1941, by District Officers.

(*iv*) No.

(*c*) Does not arise.

**Maulvi AHMED ALI MRIDHA:** Will the Hon'ble Minister be pleased to state if he is aware that in the district of Faridpur where the settlement operation is going on in any case that was filed under section 103 both parties were compelled to pay contribution for war purposes?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I have no information.

**Maulvi AHMED ALI MRIDHA:** Will he enquire into the matter on the line of the allegation made?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** If the question is put to me I will certainly enquire.

**Dr. NALINAKSHA SANYAL:** Will the Hon'ble Minister be pleased to state if the Government of Bengal have addressed any instruction to the District Officers and others concerned requesting them or instructing them not to use any method which may be considered as oppressive or iniquitous in raising or realising war contributions?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** As I have said on a previous occasion we have issued numerous instructions to this effect and I hope that these discussions in the House will also have a very salutary effect on the officers concerned.

**Dr. NALINAKSHA SANYAL:** Will the Hon'ble Minister be pleased to state specifically if any instruction has been issued asking the District Officers not to use any oppressive methods?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Yes, Sir; it must be voluntary.

**Dr. NALINAKSHA SANYAL:** Will the Hon'ble Minister be pleased to refer to a particular instruction, if any, requesting or advising District Officers to permit people only to voluntarily contribute and nothing else?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I have not got the circulars before me, but I can say that we have issued such instructions.

**Dr. NALINAKSHA SANYAL:** Is the Hon'ble Minister sure of the fact?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I am absolutely certain.

**Khan Bahadur MOHAMMED ALI:** Will the Hon'ble Minister be pleased to state if he is aware of the fact that the holders of guns in the district of Bogra are compelled to pay contribution to the war fund at the time of renewal of their licences; otherwise they are not granted fresh licence?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I am not aware of that.

**Mr. NISHITHA NATH KUNDU:** With reference to answer (*ii*) that no complaints had been received, will the Hon'ble Minister be pleased to state if he is aware that while moving a cut motion I made certain general and one or two specific complaints about the oppressive methods adopted by the District Officers in realising war contributions?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I do not remember at the present moment, but I am not prepared to contradict the honourable member.

**Mr. NISHITHA NATH KUNDU:** In view of the reply just now given, does not the Hon'ble Minister think it desirable that I should have been informed of those enquiries which were held by the District Officers?

**Mr. DEPUTY SPEAKER:** That is an expression of opinion.

**Mr. ATUL CHANDRA SEN:** Will the Hon'ble Minister please inform the House whether he is aware that during Sir Nazimuddin's regime as Home Minister a gentleman of Dhamrai thana in Dacca complained to Government that the Sub-Registrar refused to register documents unless he paid some war subscription?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I do not remember that.

**Mr. NIKUNJA BEHARI MAITI:** Will the Hon'ble Home Minister be pleased to state if he inclines in view of the complaints made by several members of this House to ask the officers not to take the initiative at all in the matter of realisation of war subscription?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** May I point out to the honourable member that that is not a practical proposition. Government officers can take initiative to explain the situation but they must leave it to the public to contribute voluntarily. The officers have been asked not to take part in the collection of subscription.

## Official canvassing in a Natore election to the Bengal Legislative Assembly.

*166. **Mr. FAZLUR RAHMAN:** (*a*) Is the Hon'ble Minister in charge of the Home Department aware—

(*i*) that there will be a bye-election by the Natore subdivision Muhammadan Constituency of the Bengal Legislative Assembly;

(*ii*) that Maulvi Noajeshuddin Chowdhury is a candidate for the said bye-election from the Progressive Party; and

(*iii*) that the Special Officer, Debt Settlement Board, North Circle of the Natore subdivision, is canvassing for the said Maulvi Noajeshuddin Chowdhury?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps, if any, he proposes to take in the matter?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** (*a*) (*i*) Yes.

(*ii*) The Progressive Coalition Party or the Progressive Party are not running any candidates.

(*iii*) No.

(*b*) Does not arise.

**Mr. FAZLUR RAHMAN:** Will the Hon'ble Minister be pleased to state if this officer accompanied Maulvi Noajeshuddin Chowdhury to various places at Natore for election purposes?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I am prepared to give information that I have got. One day, the Circle Officer, the Special Officer and Maulvi Noajeshuddin Chowdhury were travelling to Atrai

in Naogaon subdivision by the same train. The Circle Officer and the Special Officer went by bullock cart to Kaliganj and Maulvi Noajeshuddin Chowdhury went to the house of a gentleman of the Natore constituency. The Special Officer and the said gentleman never travelled together except on that occasion.

**Mr. FAZLUR RAHMAN:** Will the Hon'ble Minister be pleased to state whether in view of this report he has satisfied himself that the Officer did not take part in the canvassing for Maulvi Noajeshuddin Chowdhury?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I am prepared to go further and give this direction that no official should take any part in canvassing on either side

**Dr. NALINAKSHA SANYAL:** Will the Hon'ble Minister be pleased to state if it is a fact that allegations have been made against certain officials on the ground that they were actively helping the former Muslim League Party, now calling the Muslim League Parliamentary Party in this House in connection with this election?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Allegations have been received but they are mere allegations only. I cannot say anything.

## Message.

The Secretary then read out the following message received from the Bengal Legislative Council:—

"That the concurrence of the Bengal Legislative Assembly be asked to the Bengal Non-Agricultural Tenancy (Temporary Provisions) Extending Bill, 1942, as passed by the Bengal Legislative Council at its meeting held on the 9th March, 1942."

## Miscellaneous matters.

**Mr. K. NOORUDDIN:** Before you proceed with the work of the House, I would like to know your ruling about the remarks made the other day——

**Mr. DEPUTY SPEAKER:** I will consult the Party Leaders and I will give my decision within 20 minutes.

**Khwaja Sir NAZIMUDDIN:** I would like to make the position of my party clear with regard to the question of Mr. Sarat Chandra Bose's release. We, on this side of the House, feel that if the

Government of Bengal, after perusal of the material at the possession of the Government of India, are satisfied that there is no justification for the detention of Mr. Sarat Chandra Bose, then we are certainly in favour of releasing him.

## DEMAND FOR GRANTS.

### 38—Medical.

**The Hon'ble Mr. SANTOSH KUMAR BASU:** Sir, on the recommendation of His Excellency the Governor of Bengal I beg to move that a sum of Rs. 51,13,000 be granted for expenditure under the head "38—Medical".

**Mr. ABDUL LATIF BISWAS:** Sir, I beg to move that the demand of Rs. 51,13,000 for expenditure under the head "38—Medical" be reduced by Rs. 100.

Sir, the reason which has led me to move this cut motion is the apathy of the Government to publish and place before this Assembly the report of the Committee consisting of Mr. Khwaja Shahabuddin, C.B.E., M.L.A., Chairman, Mr. W. A. M. Walker, M.L.A., Mr. J. N. Basu, M.L.A., the Principal, Medical College, Calcutta, and Mr. N. N. Mitra, Assistant Accounts Officer deputed by the Accountant-General, Bengal.

Sir, this Committee was appointed to enquire into the financial administration and working of the Medical College Hospitals, particularly with reference to the allegations of corruption made on the floor of this House on the 20th April, 1939, in moving a resolution by myself. The resolution was accepted by the Government of Bengal and the aforesaid Committee was constituted under the Government resolution No. 1402Medl., dated the 24th July, 1939.

Sir, the Committee commenced its sitting on the 12th August, 1939, and continued its work with as much care as possible and I, Sir, as the sponsor of the resolution, watched the proceedings with interest.

Sir, during the course of enquiry, I understand evidences both oral and documentary as to the conduct of Mr. K. S. Mitra, Secretary of the Medical College Hospitals, involving culpable negligence and dishonesty of the worst type including the suppression of documents, interpolations and material alterations and additions on the invoices and chalans regarding the purchase of an X-Ray Deep Therapy apparatus of the value of more than Rs. 38,000 were forthcoming. Sir, other instances of his riding rough-shod over the rules and canons of finance and accounting and of attempting to hide his culpable commission and omission by cooked receipts and dummy chalans also came to light.

Sir, the Committee, during the course of enquiry I understand, were obstructed in their work by this very officer, Mr. K. S. Mitra, Secretary, putting various obstacles and as a result he was forced to take leave for more than 3 months so that the work of the Committee could proceed unhampered. Ultimately, Sir, the Committee submitted their report before the last Puja holidays.

Sir, this is the first time when a non-official Committee was appointed, and that by the last Government, to enquire into the financial administration and working with particular reference to the allegations or corruption in a premier institution like the Medical College Hospitals, Calcutta, and, Sir, the personnel of the Committee is unimpeachable.

I ask, Sir, the Hon'ble Minister in charge of Medical Department to explain why he has not published the report. I charge him with suppressing the report which I have very good reasons to believe will show a colossal financial maladministration of the Medical College Hospitals. I charge him, Sir, with a motive to suppress the report—the motive he himself supplied on the 20th April, 1939, in his speech on the floor of this House when he took part in the debate and spoke on my resolution in which I advocated the constitution of this Enquiry Committee. Mr. Basu said: "I shall only point out to the Hon'ble Minister in charge of the Department concerned that we had an enquiry, a full dress enquiry into another matter relating to that particular department which arose in Dacca. I mean the enquiry made by Mr. Tyson in connection with the affairs in the Dacca Medical School. But unfortunately Sir, that report has been suppressed—we do say that it has been deliberately suppressed—I do not know whether this resolution has been occasioned by the fact that the particular officer concerned belongs to a particular community and it might be suggested that the other report would remain a sealed book because the officer concerned in that enquiry happened to belong to another community."

I say, Sir, that the motive has been supplied for the suppression of the report of enquiry into the allegations concerning the Medical College by the Hon'ble Minister himself in his speech just quoted.

May I ask him, Sir, whether he has suppressed and deliberately suppressed the report as the particular officer concerned, I mean the Secretary, Medical College Hospitals, belongs to a particular community. May I ask him whether he has suppressed and deliberately suppressed the report as the particular officer concerned arranged for his reception when he went to lecture in the Medical College for the recruitment of temporary I.M.S. officers for war for the first time after assumption of his office as a Minister with "Bandemataram" song sung by the Hindu students in the teeth of opposition by the Muslim

students who left the lecture theatre in protest though the protest failed even to call for any sympathy from him, not to speak of redressing their legitimate grievances.

May I ask him, Sir, whether he blessed this particular officer concerned by deliberately suppressing the report as this officer arranged second time for his reception in the Medical College with "Bande-mataram" song wounding the religious susceptibilities of the Muslim students on the occasion of the celebration of foundation day of the Medical College and distribution of prizes.

May I ask him, Sir, whether he proposes to celebrate the inauguration of the new order brought about by Mr. Fazlul Huq making Dr. Syamaprasad Mookerjee the guardian of the Muslim cause and interests by the suppression of the report.

Sir, the Enquiry Committee was brought into existence in compliance with a non-official resolution passed on the floor of the House and it is quite meet and proper that the report should be placed before the House without delay.

Sir, I cannot conclude my speech without quoting another portion of the speech of Mr. (now Hon'ble Mr.) Basu already referred to. He said "So far as this demand for enquiry is concerned which is particularly directed against corruption or allegation of corruption, I do not think that any reasonable person will resist a proposal of that character. We are always anxious to see that our public services are rendered free from corruption and so far as this side of the House is concerned we shall accord our full support whenever it is asked for in bringing about such a condition in our public services that the corruption will be a thing of the past".

I ask the Hon'ble Mr. Basu to state whether he stands by his declaration made at that time or he likes to misuse the power as a Minister to suppress the report as the officer concerned belongs to a particular community. I ask Mr. Basu to declare here and now if he likes to publish the report so that it may be scrutinised by the public. If his answer be in the affirmative, I ask him to say when he is going to publish the report. If on the other hand his answer be in the negative, I shall only say that his repudiation of the position he took up in his speech on the 20th April, 1939, is no less miraculous than his repudiation of his connection with the Forward Bloc which secured for him the Ministerial *Gadi* and thus made him a bureaucrat of the bureaucrats.

With these few words, Sir, I commend the motion for the acceptance of the House.

**Dr. SHARAT CHANDRA MUKHERJI:** Sir, I beg to move that the demand of Rs. 51,13,000 for expenditure under the head "38—Medical" be reduced by Rs. 100. The object of the motion is to raise

a discussion on the policy of Government in emptying beds to the extent of about 50 per cent. for indoor patients in Calcutta hospitals causing great inconvenience and hardships to the public.

Sir, I also beg to move that the demand of Rs. 51,13,000 for expenditure under the head "38—Medical" be reduced by Rs. 100. The object of the motion is to raise a discussion on the failure of Government in properly equipping the mufassil hospitals.

Deputy Speaker, Sir, আমাদের দেশে একটী প্রচলিত শাস্ত্র কথা আছে—"শরীরং আদ্যং খলু ধর্ম্ম সাধনং"। কোনও রকমে বাঁচিয়া থাকিতে গেলে খাদ্য এবং ব্যাধি নিবারণের ও আরোগ্যের জন্য চিকিৎসা সমপরিমাণেই প্রয়োজন। শরীর থাকিলেই বিশেষতঃ আমাদের দেশের জনসাধারণের অর্দ্ধাশন, অনশনজনিত এবং কুখাদ্য-জনিত কারণের জন্য রোগ ব্যাধি অবশ্যম্ভাবী। দেশবাসীকে সুস্থ দেহে বাঁচাইয়া রাখিবার জন্য সরকার বাহাদুরের জল সরবরাহ, কৃষি-শিল্প, বাণিজ্য বিষয়ের উন্নতিকল্পে অর্থ সাহায্যের যেরূপ দায়িত্ব, সুচারুরূপে রোগ নিবারণের জন্য তদনুরূপ বা তদধিক দায়িত্ব রহিয়াছে বলিয়াই আমি মনে করি। কিন্তু দুঃখের বিষয় এ সকল বিষয়েই তাহাদের কার্পণ্য এবং ঔদাসিন্য প্রকৃষ্টরূপেই প্রকাশমান। স্পষ্টতঃ বলিতে গেলে দেখা যায়, কলিকাতা, ঢাকা, বর্দ্ধমান এবং তদনুরূপ কয়েকটী বড় সহর ব্যতীত কোন স্থানেই এ বিষয়ে সুবন্দোবস্ত দেখা যায় না। কলিকাতা সহরে গভর্ণমেণ্টের তত্ত্বাবধানে ৫৫টী হাসপাতাল আছে। ইহার মধ্যে এলোপ্যাথিক—৪৮, আয়ুর্বেদিক ও ইউনানী—৪টী ইহার ভিতর indoor এবং outdoor দুইই আছে। মফঃস্বলে—১৯৩৯ সালের reportএ দেখা যায় মোট ডিস্‌পেনসারি ও হাসপাতালের সংখ্যা ১,৬৯৫। সহরে ২৭৫ এবং পল্লীতে—১,৪২০টী। ঐ হাসপাতাল ও ডিস্‌পেনসারিগুলিকে বিভিন্ন শ্রেণীতে ভাগ করা যায়। কতকগুলি খাস সরকারী, কতকগুলি স্থানীয় local bodiesএর সাহায্যে চলে, কতকগুলিতে সরকারী সাহায্য কিছু কিছু আছে এবং কতকগুলি সম্পূর্ণরূপে ব্যক্তিগত দানে চলে।

তুলনা করিলে জানা যায় যে মফঃস্বলের শতকরা ৯০/৯৫টী হাসপাতাল ও ডিস্‌পেনসারি নামমাত্র সরকারী সাহায্য এবং স্থানীয় District Board, Local Board, Union Board ও Municipalityর অপ্রচুর সাহায্যেই চলিয়া থাকে। এবং যে সাহায্য ইহারা পাইয়া থাকে তাহা প্রয়োজনের তুলনায় অত্যন্ত কম। আমার নিজের অভিজ্ঞতাবশতঃ আমি জানি যে medical officerদের কেবলমাত্র 'লেফাপা দুরস্ত' করিয়াই কাজ চালাইতে হয়। কাগজে-কলমে হিসাব বুঝাইয়া বেশ দেওয়া যায় বটে কিন্তু পল্লীতে নিরন্ন আতুরদিগের অনন্ত দুঃখের কথা বিচার করিয়া দেখিলে স্পষ্ট জানা যায় যে এ বিষয়ে সরকারী ব্যবস্থা কত কম এবং কত নিকৃষ্ট।

বাংলা দেশে প্রায় ৭ লক্ষ গ্রাম আছে। আমাদের ক্ষুদ্র জেলা বীরভূমে ১৪টী থানা এবং ১৭৮টী Union Board। প্রত্যেক Union Boardএ গড় পরতা ১০/১১টী করিয়া গ্রাম আছে। ১৯৩১এর লোক গণনায় মোট লোক সংখ্যা ১১ লক্ষ ছিল কিন্তু সমস্ত জেলায় মোট ডিসপেনসারি, হাসপাতালের সংখ্যা মাত্র ৪১টী। ১৯৩৯ সালে মোট

রোগী যাহারা চিকিৎসিত হইয়াছে তাহাদের সংখ্যা ১৮৫,৫১১ জন—বছরে গড়ে শতকরা ১০ জন করিয়া রোগী ধরিলে কত ক্ষুদ্র সংখ্যায় রোগী যে চিকিৎসা পাইয়াছে তাহা স্পষ্টই বুঝা যায়। তাহা ছাড়া ঔষধপত্র ও অতি আবশ্যকীয় জিনিষপত্র যথা অস্ত্রশস্ত্র প্রভৃতির দারিদ্র্য বশতঃ চিকিৎসার অসম্পূর্ণতা যে কত ভয়াবহ তাহা সহজেই বুঝা যায়। মফঃস্বলে এমন হাসপাতাল বা ডিস্‌পেনসারি নাই যেখানে এই নিদারুণ অপ্রাচুর্য্যের লক্ষণ অবর্ত্তমান।

প্রত্যেক Union Boardএ একটী করিয়া dispensary হইবে এইরূপ একটী আশার কথা এই আইন পরিষদে আসিয়া শুনিয়া আসিতেছিলাম কিন্তু আজ পর্য্যন্ত উহা কার্য্যকরী হইবার কোনও লক্ষণ দেখি না। Budget পাশ করিবার সময় মন্ত্রীদিগের নিকট এইরূপ অনেক আশার বাণী শোনা যায় কিন্তু সেই বাণী কখনও কার্য্যকরী হয় না। মানুষের জীবন লইয়া এইরূপ খেলা করা সরকারী শাস্ত্রে স্বাভাবিক ও সাধারণ হইলেও মানবতার দিক হইতে অমার্জ্জনীয়। কোন চিকিৎসালয়েই ঔষধপত্র প্রয়োজন মত থাকে না। ম্যালেরিয়া রোগের সর্ব্বাপেক্ষা বড় ঔষধ কুইনাইনের অভাব ও অনেক সময় অসাধারণ নয়। বহু রকম ব্যাধির উপশমের জন্য বহু নূতন নূতন বিশেষ কার্য্যকরী ঔষধ চলিত আছে যে সকল ঔষধের সাহায্য দেশের দুর্ভাগ্য দরিদ্র জনসাধারণের নিকট স্বপ্নের মত দাড়াইয়াছে। যেখানে সাধারণ প্রয়োজনীয় দ্রব্যেরই অনটন সেখানে মূল্যবান, বিরল ও ভাল ঔষধ আশা করাই দুরাশামাত্র। বর্ত্তমান জগতে চিকিৎসা শাস্ত্রের প্রভূত উন্নতির যুগে বিশেষ আবশ্যকীয় সরঞ্জাম, যন্ত্রপাতি, অস্ত্রশস্ত্রের সাহায্য হইতে বঞ্চিত থাকা জনগণের দুর্ভাগ্য ও দায়িত্বশীল সরকার বাহাদুরের নিষ্ঠুরতা ও কার্পণ্যেরই পরিচয় দেয়! যে সমস্ত হাসপাতালে রোগী থাকিবার ব্যবস্থা আছে সেখানে সেবা করিবার জন্য nurseদিগের প্রয়োজনীয়তা অস্বীকার করা যায় না। ৪/৫টী সহর ব্যতীত মফঃস্বলের অধিকাংশ স্থানে কোথায়ও নামমাত্র, কোথাও একেবারেই সেবার কোন ব্যবস্থা নাই। বাঁকুড়া, যশোর, বাখরগঞ্জ, নোয়াখালি, রংপুর, বগুড়া ও পাবনাতে মোটেই কোন nurseএর ব্যবস্থা নাই। Nurseএর অভাবে Indoor রোগীদের রীতিমত চিকিৎসা হওয়া যে কত অসুবিধাজনক তা বর্ণনা করা চলে না। মফঃস্বলের হাসপাতালে এইরূপ রোগীদের সময়মত ঔষধ না পাওয়ার ঘটনা, পথ্য না পাওয়ার কথা, তৃষ্ণার জন্য সমস্ত রাত্রি রোগীদের চীৎকার ও ব্যাকুলতা এবং ইহা হইতে নানা দুর্ঘটনার দৃষ্টান্ত অত্যন্ত সাধারণ। কর্ত্তব্যপালন করিতে সুচিকিৎসার ভাণ করিয়া আতুরদিগের সহিত প্রতারণা শুধু অন্যায় নহে পরন্তু ইহা মহাপাপ। বরং পূর্ণরূপে সজ্জিত, প্রচুর ঔষধপত্রযুক্ত অল্পসংখ্যক চিকিৎসালয় রাখা ভাল কিন্তু বহু সংখ্যক ত্রুটিবহুল, সুন্দর sign board দেওয়া দাতব্য চিকিৎসালয় রাখা অন্যায় ও অসমীচিন। যাহা করিতে হইবে, ভাল করিয়া করা উচিৎ।

বর্ত্তমানে কলিকাতা সহরে ও নিকটস্থ স্থানগুলিতে emergency আইন জারি হওয়াতে বড় বড় হাসপাতালগুলিতে শতকরা ২৫ হইতে ৭৫ হারে রোগীর শয্যা খালি করা হইয়াছে। Outdoorএর special clinicগুলি বন্ধ করা হইয়াছে। ইহার ফলে কত লোকের যে কত অসুবিধা ভোগ করিতে হইতেছে তাহা অবর্ণনীয়। গভর্ণমেণ্টের উচিৎ ছিল emergencyর জন্য নূতন সাময়িকভাবে হাসপাতাল প্রতিষ্ঠা করা।

[illegible] বিপদের আশঙ্কা করিয়া স্বাভাবিক প্রয়োজনীয় কার্য্যের অবসান করা অন্যায় হইয়াছে। যাহারা অবস্থাপন্ন, হাসপাতালের সাহায্য যাদের আবশ্যক হয় না, খরচ করিয়া বাড়ীতে থাকিয়া সুচিকিৎসা পাইতে পারেন, তারা এই অসুবিধা হয়ত বুঝিবেন না কিন্তু দরিদ্র সহরবাসী বিপদের পূর্ব্বেই যে কত বিপন্ন হইয়াছে। ইহা তাহারই একটী জলন্ত দৃষ্টান্ত।

(১) Medical itemএ যে অর্থ খরচ করা হয় ও হইতেছে, তাহা অপেক্ষা অধিক অর্থ ব্যয় করিয়া ব্যাপকভাবে সুচিকিৎসার ব্যবস্থা করা উচিৎ।

(২) প্রত্যেক Union Boardএর অধীনে একটী করিয়া সুসজ্জিত প্রচুর ঔষধ-পত্রযুক্ত সর্ব্বাঙ্গসুন্দর দাতব্য চিকিৎসালয় হওয়া উচিত।

(৩) যে যে স্থানে চিকিৎসালয় হইবে, সেই সেই স্থানে দূর হইতে বেশী বেতনে চিকিৎসক নিযুক্ত না করিয়া স্থানীয় চিকিৎসক উপযুক্ত হইলে অল্প allowance দিয়া অথবা বিনা পয়সায় Honorary Physician Surgeon হিসাবে নিযুক্ত করিলে কার্য্যের অনেক সুবিধা হয়, খরচ ও কম পড়ে।

(৪) স্থানে স্থানে আয়ুর্ব্বেদীয় চিকিৎসালয় খোলা বাঞ্ছনীয়।

(৫) প্রত্যেক স্থানেই একটী করিয়া lady doctor বা একটী করিয়া midwife নিযুক্ত করা উচিৎ। সাধারণ অশিক্ষিত ধাত্রীদিগের দোষে কত প্রসূতি ও শিশু যে অকালে প্রাণ বিসর্জন করে তার সংখ্যা কম নহে। ধাত্রীদিগের জন্য যে "দাই ক্লাস" প্রথা আছে তাহা থাকা অপেক্ষা না থাকিলে অনেক ভাল হয়।

(৬) প্রত্যেক জেলায় সদর হাসপাতালের সঙ্গে একটী করিয়া X-Ray Institute এবং Bactereological laboratory থাকা অবশ্য কর্ত্তব্য।

(৭) প্রতি হাসপাতালে যেখানে Indoor থাকিবে সেখানে উপযুক্ত সংখ্যায় nurse রাখা একান্ত দরকার।

উপরিলিখিত নীতি লক্ষ্য করিয়া যদি সরকারী চেষ্টা থাকিত, তবে বহুদিন আগে এসব অভাব পূর্ণ হওয়া সহজ হইত, ইহাতে কোন ভুল নাই। কিন্তু আমি মনে করি ইংরাজ সরকার তাহার কর্ত্তব্যপালনে সম্পূর্ণরূপে উদাসীন।

আমি যখন সরকারী চাকরী করিতাম Teraiএ একটী indoor hospital building গঠিত হইয়া বহুদিন অব্যবহৃত থাকায় একজন স্বনামধন্য Deputy Commissioner of Darjeeling, inspectionএ আসিয়া মন্তব্য পুস্তকে লিখিয়াছিলেন যে "a building meant for an Indoor Hospital has been lying vacant and unoccupied since long. It is a remarkable instance of how not to do a thing." আমারও তাই গভর্ণমেণ্টের বহু বিভাগের কার্য্যতৎপরতা দেখিয়া মনে হয় "it is a remarkable instance of how not to do a thing." আমি আশা করি যে আমাদের নূতন মন্ত্রীসঙ্ঘ সরকারের চিরাচরিতনীতি পরিবর্ত্তন করিয়া নূতন scheme করিয়া জনসাধারণের ধন্যবাদভাজন হইবেন।

এই কথা বলিয়া আমি আমার ছাটাই প্রস্তাবটী সকলের অনুমোদনের জন্য উপস্থাপিত করিলাম।

**Dr. ABDUL MOTALEB MALIK:** Sir, I beg to move that the demand for Rs. 51,13,000 for expenditure under the head "38—Medical" be reduced by Rs. 100. The object of the motion is to raise a discussion about policy and grievances.

Sir, I also beg to move that the demand be reduced by Rs. 100. The object of the motion is to raise a discussion about hospital arrangements during war time.

মাননীয় চেয়ারম্যান্ মহোদয়, চিকিৎসা বিভাগ আমাদের দেশে এত বড় এবং তাতে করবার এত বেশী কিছু আছে যে সে সম্বন্ধে বর্ত্তমান সচীব-মহোদয়গণ, বা পূর্ব্ববর্ত্তী সচীব মহোদয়গণ কি করেছেন বা তাঁদের কি করা উচিৎ ছিল সে বিষয়ে বলে বৃথা সময় নষ্ট করা উচিৎ নয়। আমরা স্বীকার করে নিচ্ছি যে বর্ত্তমান সচীব মহোদয়গণ মাত্র কয়েক-মাস হ'লো মন্ত্রীত্ব গ্রহণ করেছেন। এর ভিতর এই বিশাল বাংলা দেশের নানা রকমের অভাব অভিযোগ দূর করা তাঁদের পক্ষে সম্ভবপর হয়নি, বা আশা করা যায় না। কিন্তু ভবিষ্যতের জন্য যদি তাঁহারা এ বিষয়ে দৃষ্টি রাখেন তা হলে আমাদের তরফ থেকে কি কি suggestions আমরা দিতে পারি সেই টুকু অল্প সময়ের ভিতর আমি বলতে চাই।

চিকিৎসা বিভাগকে যদি মোটামুটি ভাগ করা যায় তাহলে দুটো বিভাগ করা যেতে পারে। এক হলো: শিক্ষা বিভাগ, আর অন্য হ'লো চিকিৎসা বিভাগ। শিক্ষা বিভাগের ভিতর আমি মোটামুটিভাবে বলতে চাই, আমাদের বাংলাদেশে এই চিকিৎসা শাস্ত্রের শিক্ষার দিকে ২টি compartment আছে। এ দুটো আমাদের দেশে যেমন communalism রয়েছে এই শিক্ষা বিভাগের চিকিৎসার ক্ষেত্রেও compartmentalism বলুন, communalism বলুন, যাই হোক ঐ রকম একটা বিচ্ছেদের ভাব রয়েছে। সে বিষয় কিছু বলতে চাই। দ্বিতীয় Post-graduate training, তৃতীয় grants to all medical schools এবং চতুর্থ nursing training, অন্য দিকে চিকিৎসাক্ষেত্র আমি বলবো মোটামুটি ভাগ করে, এক preventive, দ্বিতীয় curative, Preventiveটা আসে Public Health Departmentএর মধ্যে। কাযেই সেটা যখন Public Healthএ কথা উঠবে সেই সময় আলোচনা করা যেতে পারে। Curativeএর ভিতর কয়েকটি নম্বর দিয়ে আমি বলতে চাই আমার পূর্ব্ববর্ত্তী বক্তা মাননীয় ডাক্তার মুখার্জি কতগুলি যদিও বলে গিয়েছেন, কিন্তু এক এক করে নম্বর দিয়ে বল্‌লে বোধ হয় সুবিধা হবে।

প্রথমতঃ হচ্ছে দেখুন, আমাদের হাসপাতালগুলি, curativeএর মধ্যে। হাসপাতাল ২ রকমের, এক metropolis townএ, এবং দ্বিতীয় মফঃস্বলে district subdivisionএ বা unionএ। ২ নম্বর, এই সমস্ত হাসপাতালে ভর্ত্তি হওয়ার সুবিধা অসুবিধা। তৃতীয় যাঁরা ভর্ত্তি হন তাঁদের চিকিৎসা। চতুর্থ, তাঁদের diet, পঞ্চম, তাঁদের সেবা শুশ্রূষা, nursing তারপরে, ষষ্ঠ আমি বলবো আমাদের দেশে Venereal Departmentএর অল্পতা সম্বন্ধে। তারপরে child welfare works; তারপরে inadequate grant to all mofussil hospitals, তারপরে honorarium to the doctors attached to these hospitals. Lastly, medical fee of the profession. এই হবে আমার আলোচনার পদ্ধতি।

প্রথমদিকে আমি গোড়াতেই যা বলেছি শিক্ষার দিক দিয়ে gradation. আপনারা সকলেই জানেন যে আমাদের এই বাংলাদেশে, এবং অবশ্য এ সারা ভারতেই বিদ্যমান, চল্‌ছে ২ রকম শিক্ষা এক medical school, এক medical college, এই যে ২ টো compartmentalism এ জগতের অন্য কোথাও খুব কমই দেখা যায় এবং এটাও সত্যি যে চিকিৎসা শিক্ষায়, যেখানে চিকিৎসা শাস্ত্রের সঙ্গে ছাত্রদের শিক্ষার একেবারে অতি নিকট সম্বন্ধ সেখানে আমরা অস্বীকার করতে পারি না যে বাংলার প্রত্যেক গ্রামবাসীই সমান চিকিৎসা (শিক্ষার?) অধিকারী হতে পারে। এই যে compartmentalism রাখা হয়েছে একদিক থেকে এতে চিকিৎসকদের ভিতরে একটা পরস্পর বিরোধীতার ভাব আসে; এবং অন্যদিক দিয়ে আমার মনে হয় এই যে standard of treatment সেটা খুবই অশোভনীয়। যদি আমরা মনে করি যে এই গ্রামবাসীর, পল্লীর দরিদ্র কৃষক প্রজা, তাদের সুচিকিৎসার প্রয়োজন আছে এবং তাদের স্বাস্থ্যের উন্নতির প্রয়োজনীয়তা আছে তাহলে আমাদের কর্তব্য যাতে তারা ভাল class এর, এবং যাকে আমরা সরকারের তরফ থেকে বলি যে higher classএর ডাক্তারদের চিকিৎসাধীন কেন হবে না, তা দেখা। কয়েকটা কথা অনেক section বলে থাকেন, যে school থেকে পাশ করলে এই সমস্ত ডাক্তাররা গ্রামে যেয়ে বসবে, তাতে চিকিৎসার খরচ একটু সস্তা হয়। আর Medical College থেকে পাশ করে তাঁরা সাধারণতঃ গ্রামে যেয়ে বসতে চান্ না, যেহেতু গ্রামবাসী লোকের পক্ষে তাদের পয়সা, তাদের fee, যোগানো কষ্টকর। আমার বোধ হয় সেদিন গিয়েছে। যদি বেশী সংখ্যায় graduate ডাক্তার পাশ করেন তাহলে গ্রামে ২ যদি তাঁরা ছড়িয়ে পড়েন, এবং সাধারণতঃ পড়বেনই, তাহলে এ অসুবিধা দূর হবে। আজ যে কয়েকটি medical school আছে সেগুলি যদি কলেজের standardএ যায় তাহলে যথেষ্ট পরিমাণে চিকিৎসক বেরোবেন। তাঁরা সমস্ত গ্রামে যেতে বাধ্য হবেন এবং সাধারণতঃ গ্রামের লোকেরা ভাল চিকিৎসা পাবেন। এবং এটা যে নূতন কথা তা নয়; আপনারা আমাদের দেশের বাইরে বিদেশের দিকে যদি তাকান সেখানেও দেখতে পাবেন অন্যান্য যায়গায় ঠিক পাঁচ বছরের course; Vienna town যেখানে জগতের ভিতর medical science শ্রেষ্ঠ বলা হয় সেখানে university course হচ্চে five years। তাতে তাদের কিছু অসুবিধা হয় না। তারপরে আমাদের দেশে অনেক বলাবলির পর মাদ্রাজ provinceএ, united provincesএ এঁরা সেগুলি গ্রহণ করেছেন; এবং অন্যান্য প্রতিষ্ঠান যেমন এই বাংলার State Medical Faculty তারপর Bengal Council of Medical Registration, Indian Medical Council এঁরাও এগুলিকে সমর্থন করেছেন। এবং কিছু দিন আগে এই সমস্ত আমাদের অভাব-অভিযোগ নিয়ে আমাদের বর্তমান সচিব মহোদয়ের কাছে All—India Medical Licentiate Associationএর তরফ থেকে একটা Deputation গিয়েছিল। তিনি আশ্বাস দিয়েছেন। অবশ্য বলতে পারি না এখন কি হয়েছে। আমরা আশা করি অদূর ভবিষ্যতে এটাকে গ্রহণ করা হবে। তারপরে এই সমস্ত school বা college থেকে যে সমস্ত

ছেলেরা পাশ করে বেরোন, বড় দুঃখের বিষয় যে তাদের Post graduate কোন চিকিৎসা শিক্ষার ব্যবস্থা আমাদের দেশে নেই। আপনারা শুনে সুখী হবেন এবং আশ্চর্য্যান্বিতও হতে পারেন যে অন্যান্য দেশে school থেকে বা college থেকে ডাক্তারেরা পাশ করে বেরিয়ে যেয়েই চিকিৎসাক্ষেত্রে বসে না। এটা সরকার থেকেই নিষিদ্ধ। আমাদের দুর্ভাগ্য যে এদেশে আমরা দেখতে পাই ছেলেরা পাশ করেই ছুরি কাঁচি বা injection syringe বা ঔষধপত্র নিয়ে যেয়ে ডাক্তার হয়ে লোক মারতে আরম্ভ করে। আমি বিদেশের কথা জানি, Viennaতে সেখানে এই specialist in midwifery'র নিয়ম হচ্চে, (আমি অন্ততঃ, Sir, পাঁচ মিনিট সময় চাই আরো) আমি বলতে চাই এই যে অন্য দেশে এ রকম নিয়ম আছে যে পাশ করে বেরোনোর পরে Post-graduate training না নিয়ে চিকিৎসা করতে দেয় না। এই জন্য Midwife Specialistএর সেখানে নিয়ম ছিল আমি জানি যে ছাত্র পাশ করে বেরোনোর পর সাতটা বছর যদি maternity wordএ House Surgeonএর কাজ না করে তাহলে তাকে Specialist in Midwifery বলা হয় না। যদি কোন Surgeon পাশ করে বেরোয় তাহলে তাকে অন্ততঃ পাঁচ বছর surgical sectionএ Post-graduate training নিয়ে হাত না পাকালে তাকে ছুরি ধরতে দেওয়া হয় না। যে specialist in heart, lungs ইত্যাদি হবে, পরিষ্কার তাকে তিন বছর অন্ততঃ Post-graduate training নিতে হয়। এ রকম পদ্ধতি অন্যান্য দেশে আছে এবং তারা সেই ভাবে শিক্ষা করাতে তাদের চিকিৎসাক্ষেত্রে তারা উন্নত। আর আমাদের হয়েছে সেখান থেকে বেরিয়েই নূতন আমরা একেবারে যেয়ে গ্রামে কিম্বা সহরে dispensary খুলে বসলাম। এই Post-graduate trainingএর ব্যবস্থা করা উচিত। আর আমি বলতে চাই মফঃস্বলে nursing সম্বন্ধে। যেভাবে আমাদের শিশু মৃত্যুর হার বাড়ছে তাতে প্রত্যেক district headquartersএ বা subdivisionএ যে সমস্ত Governmentএর অধীনে dispensaries আছে সেখানে চেষ্টা করা উচিত গ্রাম্য দাইদের শিক্ষা দেওয়ার যাতে সেই সমস্ত দাইরা অন্ততঃ একটু পরিষ্কার-পরিচ্ছন্নভাবে এবং anti-septically তাদের কার্য্যনির্ব্বাহ করতে পারে।

আমি এবার চিকিৎসা সম্বন্ধে ২।১টি কথা বলেই বসবো। হাসপাতালগুলি এত বেশী আমাদের দেশে congested মফঃস্বলে এবং সদরে যে এদের bed বাড়ানো অতি প্রয়োজনীয় এবং এই সমস্ত হাসপাতালে, বিশেষ করে কলকাতায় আমরা দেখতে পাই যে এক শ্রেণীর লোকই বেশী সুবিধা পায়; যাদের অর্থ আছে। গরীবরা পায় না। আমি বলতে পারি, হালে একটি case হয়েছিল, একটি ছোট ছেলে, cleft palate, তাকে হাঁসপাতালে ভর্ত্তি করবার জন্য তিন মাস অপেক্ষা করতে হয় এবং ভর্ত্তি হবার পরেও পাঁচ মাস আজ হাঁসপাতালে রয়েছে, বা ছিল opperation না হওয়া পর্য্যন্ত। প্রায় তিন মাস ভিতরে ঢুকতে ও operationএর জন্য অপেক্ষা করতে আরো পাঁচ মাস, আট মাস লাগলো সেই ছেলেটার চিকিৎসা হতে। এটা সেই লোকদের পক্ষেও কষ্টকর এবং আমার মনে হয় হাসপাতাল সম্বন্ধেও, শুধু চিকিৎসার জন্য হাসপাতালের অর্থের এ অপব্যবহার। আবার অনেক সময় হাসপাতালেও দেখা যায় যে রোগীর চিকিৎসা

করে তার সম্পূর্ণ আরোগ্য হওয়ার আগেই ছেড়ে দেওয়া হয়। এগুলির একটা পুরো-পুরি তদন্ত করা আমার মনে হয় বিশেষ প্রয়োজন। তারপরে হাসপাতালের বায়গা সম্বন্ধে আমাদের Dr. Mukherji বলে গিয়েছেন, nursing সম্বন্ধে আমি শুধু বলতে চাই—(A voice : Time is up.) I want five minutes, Sir.

**Mr. DEPUTY SPEAKER :** I can give two minutes more.

**Dr. ABDUL MOTALEB MALIK :** তারপরে আমি এও জানি হাঁসপাতালে এমন অবস্থা হয় রাত্রে যে রোগী "জল", "জল" করে চীৎকার ক'রেও মারা যায়। কাজেই আমার বলার উদ্দেশ্য এখানেও আমাদের লক্ষ্য রাখা দরকার। আর একটা জিনিষের আমাদের দেশে অভাব হয়েছে। এই যে venereal diseases, এই যে Gonorrhoea, Syphillis এ দেশে গ্রামে গ্রামে যে Malariaর মত ছড়িয়ে পড়ছে, বাড়ী থেকে বাড়ীতে এবং গলি গলিতে তার থেকে দেখা যাচ্ছে আমার মনে হয় সরকারের এমন একটা পরিকল্পনা উপস্থিত করা উচিত যাতে এই, বিশেষ করে, কলকাতায় এবং বড় বড় সহরের অলিতে গলিতে অন্ততঃ এক একটা কি দুটো ward মিলিয়ে বিশেষ করে যে সমস্ত wardএ অখ্যাত নামা নারীদের বসবাস সেই সমস্ত যায়গায় venereal clinicsএর প্রয়োজন আছে both from the preventive and curative side এই রোগ-গুলির জন্য, আমার মনে হয় curativeএর দিকে Government এর যত অর্থ ব্যয় হয়, যদি আগে থেকে কোন preventive measures নেওয়ার জন্য যদি clinicsএর পরিকল্পনা করা যায় তাহলে অল্পেতে সেগুলির প্রতিকার হতে পারে।

তারপরে শেষ কথা বলেই আমি বসবো। আমাদের হাসপাতালের ডাক্তারদের অবস্থা। আমি জানি না যে জগতে এমন কোন দেশ আছে কিনা যেখানে ডাক্তার দেখে without any honorarium। বিনা পয়সায় তাদের খাটান হয়। এতে দাঁড়িয়েছে এই যে হয় যারা খুব বড় লোক যে সমস্ত ডাক্তার, যাদের টাকা আছে তারাই যায়, আর তা না হ'লে এতে মস্ত একটা corruptionএর প্রশ্রয় দেওয়া হচ্ছে। আমার মনে হয় honorary না খাটিয়ে প্রত্যেক ডাক্তারকেই honorarium দেওয়া উচিত। আমার মাননীয় সচিব মহাশয় বোধ হয় বিলাতের খবর রাখেন, সেখানে এই সমস্ত হাসপাতালে যে ডাক্তার আছে তাদের একটা honorarium দেওয়া হয়, যাতে কোন রকম corruptionএর প্রশ্রয় না আসে। শেষে আমি বলতে চাই যে ডাক্তারে ডাক্তারে বলাবলি করে, অনেক সময়ে মফঃস্বলেও দেখিছি, যে distilled water injection দিয়ে পয়সা নেওয়া হয়। এ ক্ষেত্রে আমি এই কথা বলতে চাই যে প্রত্যেক ডাক্তারকে একটা মনমত fee দেওয়া যদি compulsary করে দেওয়া হয় তাহলে এর ব্যবস্থা হতে পারে।

**Dr. NALINAKSHA SANYAL:** Sir, I beg to move that the demand of Rs. 51,13,000 for expenditure under the head "38—Medical" be reduced by Rs. 100. The object of the motion is to raise a discussion about the urgency of formulating a revised policy for the

organisation of medical and public health work in the province making it possible for more intensive work in the rural areas for both preventive and curative medical and public health measures.

I also beg to move that the demand of Rs. 51,13,000 for expenditure under the head "38—Medical" be reduced by Rs. 100. The object of the motion is to raise a discussion about the inadequate appreciation of the services rendered by (*a*) the Indian Institute for Medical Research and (*b*) the Jadavpur Tuberculosis Hospital.

I further beg to move that the demand of Rs. 51,13,000 for expenditure under the head "38—Medical" be reduced by Rs. 100. The object of the motion is to raise a discussion about the administration, teaching work and hospital work in the Calcutta Medical College and in other hospitals in Calcutta.

Sir, medical and public health services in the province have not received as much attention from Government as they deserve. While in Great Britain about 22·7 per cent. of the total revenue is spent on medical and public health services, only about 6·6 per cent. of the total revenue of Bengal is allocated for expenditure on these services —Rs. 55 lakhs on "Medical" and 48·5 lakhs on "Public Health" have been provided this year,—while "Police" absorbs more than 14 per cent., and "General Administration" 10 per cent.; and even when comparison is made in India Bengal's contribution for "Medical" appears to be half of that of the Punjab and Bombay and one-eighth of what is spent in Delhi.

While this has been the general position the expenditure provided for medical and the public health services in rural areas is scandalously low. As compared with the amounts meant for urban areas the discrepancy has been estimated to be in the ratio of 1 to 8. This meagre contribution for rural public health is coupled with a most iniquitious arrangement under which about 75 per cent. of the union board rates are absorbed in meeting the pay, etc., of chaukidars. With an economic framework like this it is obvious that the bulk of the rural population has been going virtually without medical and public health services. On the top of this we notice that large sums of money allotted every year for various kinds of public health and medical services have been remaining unspent. Under the budget head "Medical" itself more than Rs. 2 lakhs were left unspent during the last two years for improvement of Sadar hospitals in the mufassil, and this is so although many claims have been made and have been fully and properly drawn up long ago. To one such claim I drew the attention of this House this morning, namely, about the Berhampore Sadar Hospital. Sir, such valuable work is postponed and sometimes abandoned after some postponement. Under "Public Health" also a number of such gross negligence to spend money on important schemes is observed especially in connection with the

reorganisation of rural public health units, anti-malaria work, anti-tuberculosis work and anti-leprosy work. This state of affairs is nothing short of scandalous.

The trouble appears to lie in the fact that there is no well-thought-out policy and plan of work regarding these services and that there is a complete lack of co-ordination between different sections of medical and public health services as also between various departments of Government like Irrigation, Communication, Agriculture, and Co-operation which directly and indirectly contribute to the success or otherwise of these services. I therefore earnestly plead for the formulation of a policy and a definite plan of action over a number of years for a thorough reorganization of our medical and public health services and for securing a co-ordination of the activities of other allied nation-building services.

In formulating such a policy bold steps have to be taken and neither the usual red tape of the Surgeon-General's office nor the selfish coterie of the I.M.S. services should be permitted to hold up work. There should be free consultations with non-official medical men of reputation and with research workers and the assistance of scientists should be unreservedly sought at every stage. A glance through the pages of scientific journals of Great Britain even during the war time, will give any one an idea of what Britain is doing for the uplift of conditions of health at all times.

The whole of the country is crying for a National Health Policy based on scientific methods and planning and pursued into action by an efficient administration built up on three fundamental principles of (*i*) centralised direction and control, (*ii*) decentralised field operation and (*iii*) proper and efficient technical supervision. Give us such a National Health Policy.

The determination of this policy may need a thorough review of the present organization of preventive and curative medical services under two almost watertight departments. If some intensive health improvement work in the rural areas has to be undertaken, it appears that both the curative and preventive medical services should be pooled under one co-ordinated scheme and the present barriers between Medical and Public Health Departments should be done away with. This will not only effect improved work in the field but will also enable modification in the top-heavy administration at the centre.

A necessary corollary to the formulation of a National Health Policy is the selection and training of the personnel, medical and scientific, whose duty it will be to carry out the plan determined. In this respect also a large leeway has to be made up. It is regretted that of late considerations other than merit, even after recognising the communal quota, have been allowed to creep into the selection of not

only students but also teachers of the Medical College and Campbell Medical Schools, and the administration, teaching and hospital work in most of the institutions in Calcutta have deteriorated considerably.

(At this stage, the red light was on.)

Sir, may I have five minutes more? I have combined all my motions.

**Mr. DEPUTY SPEAKER:** Yes.

**Dr. NALINAKSHA SANYAL:** The teaching work in mufassil institutions also continues to be far from satisfactory and their equipments continue to be very poor. I do not intend to take the time of the House by going into details, but I urge on the Government to take up this question quite seriously.

While on this the need for encouraging medical research also cannot be overemphasised. The conditions under which our countrymen live and the suitability of particular methods of approach determined on western standards have to be constantly tested and scientifically examined. Those bands of selfless workers like the scholars of the Indian Medical Research Institute who have made it the noble mission of their life to carry on researches into the field of bio-chemistry, nutrition, vaccines and sera and therapy should receive increased Government assistance and encouragement and every effort should be made to help in the extension of the services of institutions like the Jadavpur Tuberculosis Hospital, the Ramkrishna Mission Maternity Home, the Chittaranjan Sevasadan, and the like. Will the Government be able to rise equal to the task?

In order to draw attention to the helpless condition of our people, I might in this connection ask the Government to peruse very carefully the debates in the last Indian Science Congress held at Benares where in the course of a presidential address, a very illuminating presidential address, Dr. A. C. Ukil has given an elaborate and well-thought-out plan for the reorganization of the medical services and for establishing a definite National Health Policy. I have found very illuminating items from that speech and I confess that my observations have been mostly based on that speech. I would request, in view of the shortness of the time at my disposal, the Hon'ble Minister in charge to examine the proposals made therein. He will find that almost every possible problem has been covered including the problem of rural health and finance. I am entirely at one with the President when he says that sufficient attention has not been given in this country largely because the medical services in India have been manned and the policy directed by the I.M.S. officers who are mainly recruited for the maintenance of military services but who are drafted on the

civil side for the purpose of loading the top at the expense of the work in the rural areas. I would request the Hon'ble Minister to examine that aspect of the matter.

**Maulana MD. ABDUL AZIZ:** Sir, I beg to move that the demand of Rs. 51,13,000 for expenditure under the head "38—Medical" be reduced by Rs. 100. The object of the motion is to raise a discussion about the establishment of a Tibbia College in Bengal.

মাননীয় সভাপতি মহোদয়, আমি বর্ত্তমান সনের বাজেটের Medicalএ ব্যয় বরাদ্দ ৫১,১৩,০০০৲ টাকা হইতে ১০০৲ টাকা কমাইবার জন্য ছাটাই প্রস্তাব আনিয়াছি। এই ছাটাই প্রস্তাব আনিবার উদ্দেশ্য এই যে আমি গত ৪ বৎসর যাবৎ বাংলা দেশে একটী তিব্বিয়া কলেজ খুলিবার জন্য গভর্ণমেণ্টকে অনুরোধ করিয়া আসিতেছি এবং গভর্ণমেণ্ট সম্মতি প্রকাশ করা সত্বেও এ বিষয়ে কোন কিছু করিতেছেন না। আপনারা সকলেই অবগত আছেন যে এককালে ইউনানি চিকিৎসা জগতে কত উন্নতি করিয়াছিল এবং ইহা দ্বারা লোকের কত উপকার সাধিত হইত। আজকালও যে এই চিকিৎসা দ্বারা জগতের, বিশেষ করিয়া এ দেশের কোন উপকার হইতেছে না, তাহা বলা চলে না, যেহেতু ভারতবর্ষের বিখ্যাত ইউনানী চিকিৎসক মরহুম হেকিম আজমল খাঁ সাহেব তাহার জীবদ্দশায় এদেশের, এমন কি য়ুরোপেরও বহু দুরারোগ্য রোগ তাহার ইউনানী চিকিৎসা দ্বারা আরোগ্য করিয়া গিয়াছেন। তাহার ইউনানী চিকিৎসায় চিকিৎসিত হইবার জন্য বহু রাজা মহারাজা, এমন কি সম্রাট কর্ত্তৃকও তিনি আমন্ত্রিত হইয়াছেন এবং তাহারাও তাহার চিকিৎসায় আরোগ্যলাভ করিয়াছেন। ইউনানী চিকিৎসার সার্থকতার ইহাই যথেষ্ট প্রমাণ। এই চিকিৎসাকে কার্য্যকরী করিবার জন্য মরহুম হেকিম সাহেব তাহার জীবনপাত করিয়া গিয়াছেন। তাহারই যত্নে দিল্লীর বিখ্যাত তিব্বিয়া কলেজ স্থাপিত হইয়াছে এবং তিনি আধুনিক প্রথায় ডাক্তারদের ন্যায় ইউনানী হেকিমদিগকেও operation কাজে পারদর্শী করিয়া, ডাক্তারদের সমপর্য্যায়ে দাঁড়াইবার যোগ্যতা অর্জন করিবার সুবিধা দান করিয়াছেন। এই তিব্বিয়া কলেজ দ্বারা পশ্চিম ভারতের ছেলেরা উপকৃত হইয়া থাকে। বহু দূরবর্ত্তী এবং ব্যয় সাপেক্ষ বলিয়া বাঙ্গালী ছাত্ররা দিল্লী যাইয়া তিব্বিয়া কলেজে ভর্ত্তি হইয়া ইউনানী চিকিৎসা শিক্ষা করিতে সক্ষম হয় না। এই তিব্বিয়া কলেজে ভর্ত্তি হইতে যে উপযোগিতার আবশ্যক, তাহা হইল old scheme final Madrasa পাশ-করা মৌলবী হওয়া অথবা দরসেনে আমিয়া পাশ-করা মৌলবী হওয়া। এই বাংলা দেশে এইরূপ (qualified) উপযুক্ত লোকের অভাব নাই। তবে বাংলাদেশে এরূপ কোন তিব্বিয়া কলেজ না থাকায় এবং অন্য বিভাগেও তাদের স্থান না থাকায় তাদের জীবন বৃথা কাটিয়া যাইতেছে। এই শ্রেণীর লোকেরা তিব্বিয়া কলেজে ইউনানী চিকিৎসায় শিক্ষিত হইলে তাহারা বাংলার সুদূর গ্রামে যাইয়া চিকিৎসা ও চিকিৎসকের অভাব পূরণ করিতে পারেন যেহেতু বাংলার সুদূর পল্লীতে চিকিৎসার ব্যাপক অভাব রহিয়াছে। অধিকন্তু তাদের দ্বারা গরীব মোস্লেমদের ধর্ম্ম সম্বন্ধীয় আচার-ব্যবহারেরও সুব্যবস্থা হইতে পারে। তাই আমি গভর্ণমেণ্টকে বিশেষভাবে

অনুরোধ করিতেছি যে গভর্ণমেণ্ট যেন অতি সত্বর বাংলায় একটী তিব্বিয়া কলেজ স্থাপিত করিয়া দেশের একটি বিপুল অভাব দূর করিতে প্রয়াস পান। এ ক্ষেত্রে হয়ত বলিবেন যে এই (communal harmony) সাম্প্রদায়িক প্রীতির দিনে মুসলমানদিগের জন্য একটা তিব্বিয়া কলেজ খুলিলে আমাদের নবগঠিত মন্ত্রীদের harmony ভাঙ্গিয়া যাইবে। আমি এই harmony ভাঙ্গিতে চাই না। বরং অপরপক্ষে হিন্দুদের জন্য একটি আয়ুর্ব্বেদিক কলেজ খুলিতে দেখিলে আমি সন্তুষ্ট হইব। আশা করি, এই তিব্বিয়া কলেজ খুলিয়া গভর্ণমেণ্ট মুসলমান সমাজের বিশেষতঃ আলেম সমাজের আস্থা অর্জন করিবেন।

**Mr. HARENDRA NATH DOLUI:** Sir, I beg to move that the demand of Rs. 51,13,000 for expenditure under the head "38—Medical" be reduced by Rs. 100. The object of my motion is to raise a discussion on the failure of Government to encourage homeopathic and ayurvedic treatment in the province.

**Mr. DHIRENDRA NARAYAN MUKHERJI:** Sir, I beg to move that the demand of Rs. 51,13,000 for expenditure under the head "38—Medical" be reduced by Rs. 100. The object of my motion is to raise a discussion about the policy of extending the service of I.M.S. officers even after their date of retirement.

**Khan Bahadur ABIDUR REZA CHOWDHURY:** Mr. Deputy Speaker, Sir, মানুষের বাঁচিয়া থাকিতে হইলে ডাল, ভাত, মোটা কাপড় ব্যতীত চিকিৎসার বন্দোবস্ত তার পক্ষে সব চেয়ে বেশী দরকারী। অবশ্য ডাল, ভাতের বন্দোবস্ত গভর্ণমেণ্ট হইতে করা হইবে না। কিন্তু বাজেটে যে সব বিষয় বরাদ্দ আছে, তন্মধ্যে Medicalকেই আমি সর্ব্বোচ্চ স্থান দান করি কারণ মানুষ বাঁচিয়া থাকিলেই স্কুল-কলেজে পড়িবে; মানুষ বাঁচিয়া থাকিলেই রাস্তাঘাট দিয়ে যাতায়াত করিবে, মানুষ বাঁচিয়া থাকিলেই যে কোন উপায়ে উপার্জ্জন করিয়া পরিবার প্রতিপালনের ব্যবস্থা করিবে। কিন্তু দুঃখের বিষয় এ বিষয়ে গভর্ণমেণ্টের যে কর্ত্তব্য আছে, তাহা তাহারা কতদূর পালন করেন! কালাজ্বর, ম্যালেরিয়া প্রভৃতি ভীষণ রোগে গ্রামাঞ্চল উৎসন্ন হইতেছে কিন্তু মহানগরী কলিকাতার বুকের উপর বসিয়া মোটা মোটা বেতন গ্রহণ করিয়া, ইলেক্‌ট্রিকের হাওয়া উপভোগ করিতে করিতে বাজেট রচনাকালে গ্রামের যে ভীষণ অবস্থা, তাহা তাহাদের কল্পনায়ও স্থান পাইবার অবকাশ পাইতেছে না। মাননীয় প্রধান মন্ত্রী সাহেব ইলেক্‌সনের পর মুন্সীগঞ্জে বলিয়াছিলেন গভর্ণমেণ্ট তাহার হাতে আসিলে বাংলার প্রতি Unionএ এক একটী dispensary স্থাপন করিবেন। কংগ্রেস-বিতাড়িত ও তথাকথিত কৃষক-দরদীরা যে প্রতি Unionএ dispensaryর জন্য বিগত কয়েক বৎসর যাবৎ গলাবাজি করিয়াছেন—আজ তাহাদের হাতেই গভর্ণমেণ্ট। কিন্তু তাহারা কি করিতেছেন? বাজেটে আমরা

দেখিতে পাই ১৯৪১-৪২ সনের বাজেটে ৫৭,৪০,০০০৲ টাকা ছিল কিন্তু সংশোধিত বাজেটে তাহা কমাইয়া ৫৫,১৭,০০০৲ টাকা করা হইয়াছে। এবারের বাজেটে তাহা হইতেও কমাইয়া ৫৫,০৮,০০০৲ টাকা মাত্র রাখা হইয়াছে। এই টাকায় বাংলার লোক সংখ্যা অনুপাতে জনপ্রতি বৎসর ৴৬ পাই বা প্রতি মাসে অর্দ্ধ পয়সার বেশী হয় না। পাটের tax বাবদ যে টাকা পাওয়া যাইতেছে তাহা কৃষকদেরই ন্যায়তঃ প্রাপ্য। বিক্রয়-কর বিলের যে টাকা পাওয়া যাইতেছে, তাহাও কৃষকদেরই অধিক প্রাপ্য বটে কিন্তু আজ সে সব টাকা কোথায় যাইতেছে? তবে কি আমরা বলিব—লঙ্কায় যে যায়, সেই রাবণ হইয়া আসে?

আমার ত্রিপুরা জিলায় ৩৮।। লক্ষের উপর লোক সংখ্যা বটে এবং ২৪৫টী Union আছে। সহর ব্যতীত District Board ও Union Board পরিচালিত মাত্র ৪০টী Dispensary আছে। স্যার সুরেন্দ্র নাথ ব্যানার্জির schemeএ ছিল প্রত্যেকটী Union Board Dispensaryতে গভর্ণমেণ্ট বাৎসরিক ২৫০৲ টাকা হিসাবে দিবেন কিন্তু ৫টী Union Board Dispensaryর জন্য গভর্ণমেণ্ট হইতে কোন টাকাই পাওয়া যাইতেছে না। যদিও নূতন ১২টী dispensary করা ঠিক হইয়াছে তার কয়েকটী খোলা হইয়াছে। কিন্তু Union ও District Boardর দেয় টাকা দিয়াও গভর্ণমেণ্ট হইতে টাকা পাওয়ার কোন বন্দোবস্ত হইতেছে না। হয়ত অচিরেই এই নূতন dispensary কয়েকটী বন্ধ করিতে হইবে।

স্যার সুরেন্দ্র ব্যানার্জির scheme অনুযায়ী যদি গভর্ণমেণ্ট প্রত্যেক Union Board dispensaryতে প্রতি বৎসর ২৫০৲ হিসাবে দিতে রাজী হন, তাহা হইলে আমাদের ত্রিপুরা জিলাতেই আগামী বৎসর অন্ততঃ ১৫।২০টী dispensary করিতে পারিব। কাজেই এ বিষয়ে ভারপ্রাপ্ত মন্ত্রীমহোদয়ের নিকট উত্তর দেবার জন্য অনুরোধ করিতেছি।

**Mr. ABDUR RAHMAN SIDDIQI:** Mr. Chairman, Sir, I will not take more than a minute. I wish just to make an appeal to the Hon'ble Minister. I know, Sir, that the normal work of the departments under his charge will go on in the usual way. But, Sir, these are abnormal and extraordinary times. I had occasion to draw his attention to the serious possibility of epidemics breaking out in the city of Calcutta and in its suburbs as also in the war zone, should things take a serious turn. May I beg of him to consult specialists and experts at once and, if necessary, to have an ordinance passed for the compulsory inoculation of people in the areas I have mentioned against small-pox, cholera and typhoid. I know Government laboratories and other institutions are busy preparing sera and vaccines for military requirements. It may be that the civil population may have to look to other sources for the supply of these in the event of epidemic diseases breaking out in the city. There are institutions and men in Calcutta who can prepare them in as large a quantity as necessary. I beg of the

Hon'ble Minister to give his special attention to this very serious matter and requisition the services of these non-official experts and laboratories: otherwise, I am afraid, we shall all die like rats.

**Mr. ATUL CHANDRA SEN:** Mr. Chairman, I beg to make a few observations on motion No. 8, moved by Dr. Nalinaksha Sanyal. It envisages the orientation of a revised policy for the organisation of medical and public health work in the province, making it possible for more intensive work in the rural areas.

Sir, I am inclined to believe that the real medical problem in the province is a rural problem. The real problem is not of the people living in the city where they can have aid of eminent physicians like Dr. Sir Nilratan Sircar and Dr. Bidhan Chandra Roy, as well as ordinary medical men, but it is really a problem with the village people who hardly get proper medical relief. In this connection I may make a suggestion to the Government. In the province there are, besides the two Medical Colleges and a few Government-controlled Medical Schools, some non-Government institutions which have adopted the same course and curriculum as the Government-controlled schools and the staff of which are not in any way inferior to the staff of the Government Medical Schools. I believe, Sir, if the Bengal Medical Registration Act is so amended as to allow the registration of students who turn out from these schools, these people may render a lot of medical aid to the people in the villages. There are about 12,000 pupils who have so far passed from these schools, and if the disabilities they suffer from under the Bengal Medical Registration Act are removed, they can render good services to the village folk who are really in need of medical aid.

**The Hon'ble Mr. SANTOSH KUMAR BASU:** Sir, it is with a heavy sense of responsibility that I rise to reply to this debate on the Medical Budget. This is probably the least controversial of all the subjects in the budget, because on questions of medical relief there is practical unanimity amongst all the different sections of this House. Much of the criticism—very helpful and healthy criticism—which has been addressed by members of the Opposition has been welcome to me not only from the point of view of the department and the departmental officers, but from the point of view of those who are charged with the duty of laying down and formulating policy with regard to medical relief in this province.

Sir, before I take up the discussion or reply on the various cut motions which have been placed before this House, it will probably not be out of place if I place before this House some of the salient features of the coming year's budget. It will be noticed that in the

year 1938-39 a provision of Rs. 55,96,000 was made under the head "Medical" in the budget. In the year 1939-40 that amount was increased to a considerable extent, viz., it was increased to Rs. 56,33,000. In 1940-41, it was Rs. 56,35,000 and in the year 1941-42, it was reduced by a lakh and 18 thousand, namely, to Rs. 55,17,000. That was the revised estimate. Now, this year, Sir, although the circumstances are abnormal, although the demand upon the provincial revenues is of a very extraordinary character from various other points of view, we have succeeded in keeping the figure at Rs. 51,13,000. Therefore, we have not reduced the Medical Budget to any appreciable extent compared to the figures of previous years.

Now, Sir, some of the outstanding features of this year's budget may be referred to by me in this connection. A scheme for improvement of sadar hospitals is under progress since 1938-39. As honourable members are aware, under this scheme Government have undertaken to make capital grants towards the improvement of district sadar hospitals on condition that the local bodies concerned will meet a share—which share will be decided in each case—of the capital expenditure and the entire additional recurring expenditure involved in the scheme of improvement from local sources. If a sum of 3 lakhs was provided in the estimate of 1938-39 and grants distributed amongst a fairly large number of sadar hospitals amounted to Rs. 2,20,000 up to the end of 1940-41 when the unspent balance of the provisions, viz., Rs. 80,000, together with an additional sum of Rs. 1,20,000 was provided in the budget for 1941-42 for this purpose, the current year's provision remains fully unspent due to no scheme of improvement having materialised owing to the difficulties experienced by local bodies in collecting funds locally to comply with the conditions mentioned. This unspent provision has in the circumstances been repeated in the next year's budget. It is expected that the provision will be fully utilised next year, provided there is improvement in the situation now prevailing in the districts.

Then, Sir, the question of making grants to rural dispensaries has been raised very prominently before this House and very rightly too, if I may add. Rural dispensaries are undoubtedly a most legitimate charge upon provincial finances. Calcutta hospitals no doubt have a purpose, but unless and until we can bring succour and medical relief to the door of the poor rural population, we stand convicted at the bar of public opinion. It is from that point of view that grants at the usual rates of Rs. 500 for a thana and Rs. 250 for a village dispensary are made to dispensaries conforming to the condition of efficient management attached to the grant and recommended by local officers. The normal provision for this purpose is Rs. 1,50,000 and an additional grant of Rs. 30,000 was provided in the budget for 1941-42, but an

expenditure of Rs. 1,88,000 has been incurred. Therefore, the expenditure on this account exceeded the budget grant made in the current year. As large a number as 120 thana dispensaries and 500 village dispensaries have been paid and a few more will be paid during the current year and an additional grant of Rs. 40,000 has been provided.

**Mr. DEPUTY SPEAKER:** Mr. Basu, how long will you take?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** I will take about 10 minutes more.

**Mr. DEPUTY SPEAKER:** Time is very short. Can't you finish in 5 minutes?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** I have not yet touched the main points.

**Mr. DEPUTY SPEAKER:** Please try to finish quickly.

**The Hon'ble Mr. SANTOSH KUMAR BASU:** Sir, I am glad to be able to repeat the assurance that all dispensaries found eligible will be paid next year. The additional fund, if any, that may be necessary will be made available by reappropriation.

Then, Sir, the activities of the travelling eye dispensaries in rural areas have attracted great interest and popularity. These dispensaries under the auspices of the Association for Prevention of Blindness in Bengal are doing good work in the countryside. A provision of Rs. 27,500 was made in the estimate for 1941-42 for capital grant to the Association for maintenance of five travelling eye dsipensaries in the province during the year. A provision of Rs. 27,500 has also been made in the budget for grant to the Association for Prevention of Blindness in Bengal to enable the Association to continue to run the five dispensaries during the current year. The Association will run one of these dispensaries at their own cost.

Then there is one other item to which I desire to draw the attention of this House. It is the question of providing special scholarships for Muslim students for which a provision of Rs. 35,000 was made during the current year. It has been found that this provision falls short of the requirements according to the number of scholarships which must be paid out to deserving Muslim students and the value of the scholarships also may have to be raised in certain instances. It is for that reason that increased provision to the extent of Rs. 41,000 has been made in the next year's budget.

Then I come to the question of the Jadavpur Tuberculosis Hospital. It is the only institution of its kind in this province. Sir, so far as the Government of Bengal is concerned, it has never been parsimonious in its assistance to this very, very deserving institution. Although there has been considerable stress and strain on the provincial revenues during this year, we have succeeded in making a capital grant of Rs. 15,000 to this institution and in addition the usual recurring grant which is paid to this institution year after year.

Then my esteemed friend Dr. Nalinaksha Sanyal has raised the question of the Indian Institute for Medical Research. Now, so far as that institution is concerned, it has already got Rs. 30,000 from the Government and this year we are making the full grant which has been promised to them. I take this opportunity of acknowledging the very good and useful work that the silent research workers are doing in this institute. I have myself had the opportunity of looking at their work at first hand, and I do take this opportunity of paying my tribute to the selfless devotion with which this work is being conducted. I hope it will be possible for Government to implement its promise to assist the institution in the coming year.

Sir, coming now to the questions which have been raised in these cut motions, I do not desire to take the time of the House at any great length. Very useful suggestions have been made by my honourable friends Dr. Sharat Chandra Mukherji and Dr. Abdul Motaleb Malik who have recognised the difficulties with which the present Government is faced, having regard to the fact that I took charge of this very important work only three months ago; and recognising those difficulties they have come forward with helpful suggestions which certainly deserve our most earnest and most careful consideration. A comprehensive list of possible lines of improvement has been suggested by the two honourable members, and I shall pay, as I have said, my earnest attention to all those suggestions.

As regards the suggestion for the establishment of a Tibbia College, it is well known that a General Council of State Faculty of Medical Research has been established in the province in order to improve, revive and develop the Unani system of medicine, to systematise the education and thus save the public from unqualified practitioners.

With regard to the question of establishment of a college, no definite proposal has yet been received by Government. When such a proposal will reach us which deserves consideration, we shall certainly do our best to see what can be done.

Then, Sir, the important question of possibility of the epidemics in Calcutta has been raised by my friend Mr. Siddiqi. I am thankful to him for giving a timely warning, but I can also assure him that

this question has not escaped the attention of the Government. Some time ago the question of enforcing the Epidemic Diseases Act was taken up by Government and necessary steps have already been taken in order to implement the desire of the Government. Only yesterday or the day before I approved a press note requesting the citizens of Calcutta to take the earliest steps for the purpose of inoculating themselves against small-pox and cholera. Undoubtedly no scheme of compulsory inoculation or vaccination in Calcutta has been adopted by Government. The obvious reasons are that such a step might be misunderstood by the general public and might create panic. At the same time we are inviting the people of Calcutta to take steps for the purpose of inoculating and vaccinating themselves against these fell diseases. We are quite alive to the necessity of taking such a step in Calcutta at the present moment. I can assure my friend Mr. Siddiqi that Government will pay their most earnest attention to this important question.

Then, Sir, I come to the very important matter which has been raised in the speech of Dr. Sanyal—the question of careful formulation of policy spread over a number of years. Now, my friend has referred to the speech delivered by Dr. Ukil in his capacity as the President of the Congress. Dr. Ukil has favoured me with a copy of that speech and the suggestions made by him are under careful examination in the department concerned. I fully agree that plans and schemes for the improvement of health of the province are a desideratum which brooks no delay. It is for this reason that I am glad to announce on the floor of the House that I am considering the desirability of establishing a Provincial Board of Health which will, if it materialises, co-ordinate the medical and public health activities of the Government of Bengal under the ægis of a committee consisting of official and non-official talents available in the province whose advice, suggestions and guidance will be welcomed by the Government. That question has not been considered and decided to any fuller extent beyond the contemplation of the establishment of a Provincial Board of Health, but I do declare here that that is a matter which we shall take up for consideration. These are all the motions which I consider deserve any reply. I do not desire to take up the time of the House at any greater length. The House will fully realise that this essential work that is being carried on in the Medical Department of the Government has for the time being slowed down to some extent because of the overwhelming necessity for Civil Defence. But if times improve, if the clouds pass over, we shall certainly return to our normal activities and we shall take up this medical and public health work with much greater earnestness and seriousness than has been possible in the years past.

The motion of Mr. Abdul Latif Biswas that the demand of Rs. 51,13,000 for expenditure under the head "38—Medical" be reduced by Rs. 100 was then put and lost.

The motion of Dr. Sharat Chandra Mukherji that the demand of Rs. 51,13,000 for expenditure under the head "38—Medical" be reduced by Rs. 100 was then put and lost.

The motion of Dr. Abdul Motaleb Malik that the demand of Rs. 51,13,000 for expenditure under the head "38—Medical" be reduced by Rs. 100 was then put and lost.

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The motion of Dr. Nalinaksha Sanyal that the demand of Rs. 51,13,000 for expenditure under the head "38—Medical" be reduced by Rs. 100 was then put and lost.

The motion of Maulana Md. Abdul Aziz that the demand of Rs. 51,13,000 for expenditure under the head "38—Medical" be reduced by Rs. 100 was then put and lost.

The motion of Dr. Nalinaksha Sanyal that the demand of Rs. 51,13,000 for expenditure under the head "38—Medical" be reduced by Rs. 100 was then put and lost.

The motion of Dr. Nalinaksha Sanyal that the demand of Rs. 51,13,000 for expenditure under the head "38—Medical" be reduced by Rs. 100 was then put and lost.

The motion of Mr. Harendra Nath Dolui that the demand of Rs. 51,13,000 for expenditure under the head "38—Medical" be reduced by Rs. 100 was then put and lost.

The motion of Mr. Dhirendra Narayan Mukherji that the demand of Rs. 51,13,000 for expenditure under the head "38—Medical" be reduced by Rs. 100 was then put and lost.

The motion of the Hon'ble Mr. Santosh Kumar Basu that a sum of Rs. 51,13,000 be granted for expenditure under the head "38—Medical" was then put and agreed to.

### 39—Public Health.

**The Hon'ble Mr. SANTOSH KUMAR BASU:** Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 47,61,000 be granted for expenditure under the head "39—Public Health."

**Ruling on point of order regarding "Statesman".**

**Mr. DEPUTY SPEAKER:** Before I ask Dr. Sanyal to move his motion, I am giving my ruling with regard to the point of order raised by Dr. Sanyal and to which my attention has been drawn by Mr. Nooruddin. With regard to the paragraph in the *Statesman* of the 14th March reporting the proceedings of the Assembly, I wish to make it clear that in publishing the report of the proceedings that paper should not have made comments such as have been complained of and which I regard as objectionable. I deem it my duty to warn the *Statesman* that such conduct should not be repeated, and I will also tell you that my attention has been drawn to the editorial comment of the *Statesman* appearing this morning where some reflection has been made on the Chair and the House generally. I have consulted leaders of various parties in the Assembly, and it is my painful duty to hold that this editorial comment is entirely unjustified, and I very painfully withdraw all the privileges that have been so long enjoyed by the *Statesman* in this House till such time as I think necessary. If proper amends are made by the *Statesman*, I shall certainly reconsider their case.

**Mr. K. NOORUDDIN:** I want to know when you propose to give your ruling on the other matter. You said that you would look into the proceedings and give your ruling.

**Mr. DEPUTY SPEAKER:** I am very seriously consulting the proceedings of the House of Commons, and I shall give my decision either to-morrow or the day after after consulting the leaders of the parties and some other members of the House.

**39—Public Health.**

**Dr. NALINAKSHA SANYAL:** Sir, I beg to move that the demand of Rs. 47,61,000 under the head "39—Public Health" be reduced by Rs. 100. The object of the motion is to raise a discussion about the lump sum grants and non-utilisation of sums provided for various services in previous years, including reorganisation of rural public health services.

**Mr. DEPUTY SPEAKER:** Please finish your speech in 5 minutes.

**Dr. NALINAKSHA SANYAL:** Yes, Sir. I have already made my observations in this connection during my speech on the Medical Budget. I would not therefore stand in the way of other members of my party getting a little more chance of speaking on important issues like this. My motion is quite clear, and I hope the Hon'ble Minister

will examine the lump sum grants provided for anti-malarial work, anti-tuberculosis work, and anti-leprosy work and see that such non-utilisation of sums provided may not occur in future. It will not do, Sir, merely to come forward with a statement that as the local bodies or institutions could not come up to the standard laid down the money could not be spent. I believe there is something wrong somewhere either in the preparation of the schemes or in the machinery for putting them into operation or while the scheme is prepared sufficient attention is not given to the capacity of the local organisations or institutions to meet their portion of the liability. If that is the position, Sir, it is high time that Government should revise their rules or their conditions for grants of this character to enable services being extended in future years. I shall certainly emphasise that the whole country needs immediate and early extension of health services. When rural health cries for such amounts, it is only fair that the amount provided in the budget should be spent.

While on this I would draw attention to the inadequacy of the grant for quinine distribution. This year the amount is just the same as in previous years. It is well known that the price of quinine has gone up by 25 per cent. or 30 per cent. I, therefore, feel that unless the amount is increased, there will naturally be a decrease in the quantity to be distributed this year. The Government of Bengal has undertaken an extension of plantation of cinchona, and they have increased the production of quinine from last year. I hope that it will be possible for Government to distribute more quinine this year and in the coming year than in previous years, if more money is provided for. Otherwise, a working arrangement can be made with the dealers of quinine, particularly the Government contractors, not to get a very high percentage of profit that they get on the unearned income when there is an increase in the price of quinine sold in this province.

With these observations I would request the Hon'ble Minister to exercise his personal care in the matter of providing extended medical and public health services in the rural areas of the province.

**Mr. AHMED HOSAIN:** Sir, I beg to move that the demand of Rs. 47,61,000 under the head "39—Public Health" be reduced by Rs. 100. The object of my motion is to raise a discussion about the policy and grievances.

Sir, I only want to draw the attention of Government in a few sentences to this particular grievance. Government allot every year considerable sums of money for combating kala-azar. Besides, the local bodies themselves spend a large sum of money in this respect. But, Sir, for one avoidable reason uniform and satisfactory results

have not been obtained. Kala-azar is still prevailing in the country as before. The reason to my mind is that the Government in the Public Health Department does not prescribe and enforce the use of one or more effective specifics by the local bodies. The local bodies use any medicine they like. In the dispensaries and kala-azar centres in the District Boards, specially in my own district, I have seen people getting 42 injections each without any result. On enquiry, I came to know that drugs of inferior quality were being used. One of the Hon'ble Ministers of the previous Cabinet visited one of the dispensaries and gave assurance to the effect that only kala-azar specific should be used, but up till now the local body concerned has not taken any steps in the matter. Under these circumstances I again repeat my request to the Government. Let the Government prescribe one or two medicines after careful examination and let Government enforce the use of those medicines by all the local bodies and Government themselves so that better and uniform results may be obtained in these respects.

**Dr. SHARAT CHANDRA MUKHERJI:** I beg to move that the demand of Rs. 47,61,000 under the head "39—Public Health" be reduced by Rs. 100. The object of my motion is to raise a discussion about the grant-in-aid towards the establishment of Union Board dispensaries.

আমি বিশেষ কিছু বলতে চাই না ; একটা কথা বলেই আমার বক্তব্য শেষ করবো। এখনই Medical Budget পেশ করবার সময় জানা গিয়েছে যে, Government এর সদর হাসপাতালের উন্নতিকল্পে টাকা দেওয়া হয়েছে এবং টাকা দেবার সময় তার পলিসি এবং কনডিশন করে টাকা দেওয়া হয়। আমাদের এ দেশে Union Boardএর Dispensary গুলির দারিদ্র্য সম্বন্ধে বিশেষ বিবেচনা করা দরকার। Union Boardএর যা আয় থাকে সে টাকা থেকে তাদের রাস্তা মেরামত, চৌকিদারদের বেতনের ব্যবস্থা, ইত্যাদি করাই বলে এ সকল বিষয়ে খরচ করে তাদের এমন টাকা থাকে না যে, যথেষ্ট পরিমাণে Union Board, হাসপাতাল ও Dispensaryর বিষয়ে টাকা দিতে পারে। যদি এভাবে কোন বাঁধাধরা নিয়ম করে টাকা দিতে যাওয়া যায় তাহলে Government এর এই condition পূর্ণ করা সম্পূর্ণ অসম্ভব মনে হয়। আমার মনে হয় যে টাকা দেবার সময়েতে কোন Union Board কি পরিমাণে টাকা দিতে পারে, কি পরিমাণে ব্যয় হতে পারে, সেই অনুসারে ব্যয় অনুরূপ টাকা তাকে সাহায্য করা উচিত ; এবং এ বিষয়েতে আমি Governmentএর দৃষ্টি আকর্ষণ করছি।

**Maulvi AHMED ALI MRIDHA:** Sir, I beg to move that the demand of Rs. 47,61,000 under the head "39—Public Health" be reduced by Rs. 100. Sir, my honourable friend in charge does not know Persian, and so I must give him a Sanskrit sloka. A silly boy misread a sloka which was as following:—

আত্মবৎ পরদারেষু
পরদ্রব্যেষু লোষ্ট্রবৎ।
আত্মবৎ সর্ব্ব ভূতেষু
যঃ পশ্যতি সঃ পণ্ডিতঃ ॥

He posed as a pandit, and went about the countryside and made pilfering. To-day I shall read the correct sloka, the sloka from the Assembly Proceedings.

Sir, the speech of the ex-Finance Minister is here and you can see therefrom what were his commitments when he moved his motion for the consideration of the Bengal Finance (Sales Tax) Bill, 1941, as it had emerged out of the Select Committee. He said as follows: "I can assure this House, as I have assured before at the time of referring this Bill to the Select Committee, that the purpose of this taxation is to provide funds for nation-building departments and further amenities to the masses of this province." Then, Sir, at page 144 we find: "We have a claim to call upon the people of this province to make this small sacrifice for their own benefit, for the benefit of the nation-building departments." That being the position, Sir, the sloka that I have just quoted quite aptly applies to the present Hon'ble Minister for his not having made adequate provisions for nation-building activities of the Medical and Public Health Departments of which he is in charge, although the present Government has had the advantage of having all the revenues from taxation measures passed during the regime of the previous Government. The condition of public health of rural Bengal is well known to every one of us. That in the district of Faridpur which I represent here public health is in a very bad condition will be evident from the figures of 1941, which I am just going to place befor you: Deaths from cholera alone in 1941 came to be 5,438, and it will be an information to the Hon'ble Minister when I say that in the Sadar subdivision of Faridpur in the same year births were 16,182 as against 19,650 cases of death; in the subdivision of Goalundo the position was still worse and horrible: there births were 6,884 as against 10,842 cases of death. Sir, cholera is a water-borne disease and therefore preventible. Cholera breaks out only when there is a supply of impure drinking water. I think, therefore, that it is high time that the sloka that I have quoted should not be forgotten and that the commitments of the ex-Finance Minister already referred

to should as far as possible be acted upon by the Hon'ble Minister so far as his department is concerned. It is really horrible that while the present Ministry has had the full advantage of the realisations made from the Sales Tax in Bengal as a result of a measure passed by the previous Government, the Ministry did not care to act up to the commitments of the previous Ministry whose sole object for imposing the tax was to find money therefrom for the nation-building activities in this province. Not to speak of any increased provisions for the Public Health Department, we find that the activities of the department have been curtailed in many spheres. When there is such a pressing need in the countryside for better public health and better sanitation, the present Government has by curtailing its activities been guilty of pilfering the proceeds from the new taxes. This money which ought to have been spent for better water-supply in rural areas has been diverted for the protection of the lives and property in the metropolis. This, I may be permitted to say, is stealing money of the poor people in the countryside for the benefit of the townspeople.

**Mr. NIKUNJA BEHARI MAITI:** On a point of order, Sir. Is the word "stealing" parliamentary?

**Mr. DEPUTY SPEAKER:** I am sorry, I did not hear him say that.

**Maulvi AHMED ALI MRIDHA:** Sir, so far as we in this House as accredited representatives of the people in the countryside are concerned, we have by giving our consent to that taxation measure in this Legislature committed ourselves to see that the money derived therefrom is spent only for nation-building purposes. Therefore, Sir, so far as this money is concerned, it was already earmarked and it should not have been touched. If there was need for money for civil defence purposes, Government could have conceived another taxation measure or borrowed it. But so far as that promise is concerned, you must make good that promise. In the year 1936-37 the provision for rural water-supply was Rs. 30,000. In 1937-38 it rose to 3 lakhs; in 1938-39, to 6 lakhs; in 1939-40 and 1940-41, to 7½ lakhs; and in 1941-42 to 10 lakhs. Over and above that the promise was made to find money from the Sales Tax proceeds for rural water-supply. You cannot, therefore, shirk the responsibility. You must make increased provision, but if you do not, it will be a clear breach of the faith and of the words and promises made.

**Mr. NIKUNJA BEHARI MAITI:** Sir, I beg to move that the demand of Rs. 47,61,000 for expenditure under the head "39—Public Health" be reduced by Rs. 100. The object of the motion is to raise

a discussion about the desirability of making drastic reduction on the expenditure side and of providing for thorough examination of the health of the people of the province, and village sanitation and education in hygiene and health.

আমি Public Health Budgetএর সকল বিষয় বিশেষ করে অনুসন্ধান করে দেখলাম যে, কোন স্থানে village sanitationএর জন্য কোন টাকার ব্যবস্থা করা হয় নি; কিম্বা জনসাধারণের স্বাস্থ্য পরীক্ষা করে দেখবার জন্য কোন টাকার ব্যবস্থা করা হয় নি; কিম্বা যাদের মাইনে বেশী আছে তাদের মাইনে কম করবার কোন ব্যবস্থা নেই। Public Healthএর ২টো demandএ বেশী টাকা খরচ হচ্চে দেখা যাচ্ছে। একটা হচ্চে, expenses in connection with epidemics. তাতে দেখা যাচ্ছে যে, ১০,৯৩,০০০৲ টাকা ধরা হয়েছে। এবং আর একটা হচ্চে grant for Public Health purposes. তাতে ধরা হয়েছে ২৯,৪২,০০০৲ টাকা। তাতে কালাজ্বরের কথা আর Quinine বিতরণের কথা রয়েছে, anti-Malarial Schemeএর জন্য টাকা ধরা হয়েছে এবং অন্যান্য epidemic diseaseএর জন্য টাকা ধরা হয়েছে। Public Healthএর জন্য যে টাকা ধরা হয়েছে তাতে water-supplyএর জন্য দশ লক্ষ টাকা, সহরে water-supplyএর জন্য ধরা হয়েছে, বাকী টাকা অন্যান্য বিষয়ে, যেমন Health officerদের মাইনের জন্য দশ হাজার টাকা, Rural Reconstruction scheme এর জন্য ৬,০০০৲ টাকা ধরা হয়েছে। Rural Public Health Schemeএর জন্য ১১,৫০,০০০৲ টাকা ধরা হয়েছে। কিন্তু এই সমস্ত টাকার ভিতর দিয়ে কোথাও দেখা যাচ্ছে না যে, জনসাধারণের স্বাস্থ্য পরীক্ষা করে দেখা,—কিম্বা গ্রামের স্বাস্থ্য কিসে ভাল হয় তার ব্যবস্থা দেখতে পাওয়া যাচ্ছে না। আমার বন্ধু মালেক সাহেব একটা কথা বলেছিলেন। সেটা হচ্চে এই যে, prevention is better than cure. এ কথাটা যেমন আমরা ছেলেবেলাতে প্রবন্ধতে লিখতাম সেটা যেমন সত্য ছিল, আমার মনে হয় যে, administration চালাতেও এ কথা তেমনি সত্য; কিন্তু Budgetএ কোন স্থানে এটা দেখা যায় না যে, prevention is better than cure. সমস্ত ব্যাপারেই দেখা যাচ্ছে যে, cureএর জন্য আমরা যে মনোযোগ দিচ্ছি preventionএর জন্য সে মনোযোগ দিই না। Prevention এর জন্য যদি আমরা মনোযোগ দিতাম তাহলে কি হ'তো? তাহলে প্রত্যেক গ্রামে যাতে স্বাস্থ্য ভাল হয়, যাতে করে গ্রামে আবর্জনার স্তূপ না হয় তার জন্য আমরা চেষ্টা করতাম। এখানে যাঁরা member রয়েছেন তাঁদের অনেকে গ্রাম থেকে এসেছেন। তাঁরা জানেন যে, গ্রামের কি অবস্থা; তার প্রত্যেক রাস্তাতে যাওয়ার উপায় নেই, দুর্গন্ধে নাসিকা বন্ধ হয়ে যাবে, এবং দুধার দিয়ে যে রকম মলের শ্রেণী পড়ে রয়েছে তাতে যে কোন সুস্থ এবং ভদ্র ব্যক্তিকে চোখ বন্ধ করে যেতে হবে। এই যে অবস্থা রয়েছে, এর জন্য সরকারী প্রতিষ্ঠান কি করছেন? এর জন্য গভর্ণমেণ্ট কি করতে পারেন? গভর্ণমেণ্ট ইচ্ছা করলে অনেক কিছু করতে পারেন। আমি একথা বলছি না যে, বেশী খরচ করে পায়খানা তৈরী করতে হবে, কিম্বা প্রত্যেক বাড়ীতে পায়খানা তৈরী করে দিতে হবে। কিন্তু

সহজে কি করে, এক টাকা, দু টাকা, আট আনায় কি করে portable পায়খানা হতে পারে গভর্ণমেণ্ট এ বিষয়ে initiative নিয়ে কাজ করতে পারেন। আবশ্যক হলে তারা যে সমস্ত বেসরকারী প্রতিষ্ঠান আছে, যেমন Congress, Muslim League, Forward Bloc, ইত্যাদি প্রতিষ্ঠান, কিম্বা Progressive Coalition Party, তাঁদের সাহায্য নিয়ে গ্রামে গ্রামে এ কাজ করতে পারেন। যদি গ্রামে যাওয়া যায় তাহলে দেখতে পাওয়া যাবে যে, এক পুকুরে গরুকে স্নান করানো হচ্চে, একই পুকুরে মেয়েরা এবং পুরুষেরা পেচ্ছাবও করছে এবং একই পুকুরে ময়লা কাপড় ধোয়া হচ্চে—এর প্রতিকার করা উচিত। এটা বলা উচিত নয় যে, গভর্ণমেণ্ট কি করতে পারে, কারণ গভর্ণমেণ্ট যদি popular গভর্ণমেণ্ট হয়, তাহলে নিশ্চয়ই হতে পারে এর ব্যবস্থা। কোন বেসরকারী প্রতিষ্ঠানের সাহায্য নিয়ে তাঁরা যদি এ চেষ্টা করতে পারেন তাহলে কিছু কাজ হতে পারে। প্রত্যেক স্বাধীন দেশেই দেখা গিয়েছে যে, সে দেশের প্রত্যেক পুরুষ এবং স্ত্রীর জীবনকে অতি মূল্যবান ধরা হয় এবং সেই অনুসারে তারা তাদের কোন ব্যাধি হলে তার চিকিৎসা বা প্রতিকারের ব্যবস্থা করে। আমাদের দেশে জনগণের স্বাস্থ্য সম্বন্ধে গভর্ণমেণ্ট সম্পূর্ণরূপে উদাসীন। অবশ্য Government উদাসীন বললে ও আমি বলি না যে, বর্ত্তমান গভর্ণমেণ্ট উদাসীন, কারণ তাঁরা অতি অল্পকালই কার্য্যভার পেয়েছেন। আমি এই কথাই বলতে চাচ্ছি যে, গভর্ণমেণ্ট যাতে উদাসীন না হয়ে, এ বিষয়ে অধিকতর মনোযোগী হন আমি সেই কথাই বলতে চাচ্ছি। দেখা গিয়েছে যে, আমাদের দেশে প্রায় প্রত্যেক ব্যক্তির হয় ম্যালেরিয়া আছে না হয় সে অন্যান্য ব্যাধিতে জীর্ণ। আমার বন্ধু মালেক সাহেব বল্লেন যে, গণোরিয়া, সিফিলিস্ দেশে ম্যালেরিয়ার মত ছেয়ে যাওয়ার উপক্রম করেছে, সেটা অত্যন্ত সত্যি কথা। আমি মনে করি যে, যদি মাননীয় মন্ত্রী মহোদয় এ বিষয়ে বিশেষজ্ঞ ডাক্তারদের অভিমত নেন্ তাহলেই জানতে পারবেন। এ বিষয়ে পরীক্ষা করা উচিত কি না তা দেখবেন। এবং শুধু venereal disease নয়; হুক-ওয়ারম্ প্রভৃতি নানা ধরণের কৃমি ও বীজাণু দ্বারা বাংলাদেশের প্রত্যেক নর এবং নারীর দেহ রোগের আশ্রয় হয়ে রয়েছে। এদের প্রত্যেককে পরীক্ষা করে দেখা উচিত।

আর কয়েকটি কথা বলেই আমি শেষ করবো। সেটা হচ্চে এই যে, Public Health Departmentএর যে সমস্ত কর্ম্মচারী রয়েছেন তাঁদের মাইনে বড্ড বেশী। অবশ্য মাইনে সমস্ত ডিপার্টমেণ্টেরই বেশী; কিন্তু যেহেতু Public Health সম্বন্ধে আমার বলবার কথা রয়েছে কাজেই সেই সম্বন্ধে আমি এই কথা বলছি যে, উপরের কর্ম্মচারীদের মাইনে অত্যন্ত বেশী। Director of Public Healthএর মাইনে ২,৪০০৲ টাকা এবং ২০০৲ টাকা ভাতা পান। Assistant Director তাঁর ১,৩৩৭।/৪ পাই, Chief Engineer of Public Health Department ২,১৫০৲ টাকা। এই রকম ধরণের সমস্ত। সতের জন District Health officerএর মাইনে ৫০০৲ টাকা কিংবা তার বেশী। Health officerদের মাইনে ৫০০৲ কি তার বেশী হওয়া কোন ক্রমেই সম্ভবপর নয়। মন্ত্রীরা যদি ৫০০৲ টাকায় কাজ করতে পারেন তখন এঁদের সকলেরই

মাহিনা কম হওয়া দরকার। যখন Bengal Congress Parliamentary Party শাসন কাজে রয়েছেন বলছেন, আশা করি তাঁরা সে কথাটা তুলবেন। একথা বলেই আমি আমার cut motion হাউসে গ্রহণ করবার জন্য দিচ্ছি।

**Rai Sahib ANUKUL CHANDRA DAS:** Sir, I beg to move that the demand for Rs. 47,61,000 for expenditure under the head "39—Public Health" be reduced by Rs. 100. The object of the motion is to raise a discussion about the Tollygunge Protection Embankment.

Sir, I also beg to move that the demand be reduced by Rs. 100. The object is to raise a discussion about the improvement of Tittaghur Khal.

Sir, my first cut motion is regarding the Tollygunge Protection Embankment. This matter is being agitated for a very long time. The whole area of the Tollygunge Municipality as well as the rural area under the Tollygunge thana are flooded with water every year. It was visited by Mr. Nausher Ali who was then the Minister in charge of the Public Health and Local Self-Government Department. He went in a country boat to the locality and found for himself the miserable condition of the people caused by floods. He called a Conference in this connection to which the Tollygunge municipal authorities as well as other authorities were invited and afterwards a scheme was prepared for the protection of that area by a protection embankment. With the silting of the Bidyadhari the drainage of the locality has been completely stopped and the flood water devastates the whole locality. The House will be surprised to find that in that locality there was 6 to 8 feet of water and people used to live there by building *machans*. This is the condition in which people live there.

Sir, the Tollygunge Protection Embankment was taken up and it was found that the scheme originally proposed would cost about Rs. 1 lakh and 50 thousand of which Rs. 75,000 was to be provided by the Tollygunge Municipality and the rest by the Government of Bengal.

Now, after the scheme was taken up, a survey was made by Mr. M. O. Carter who was the Collector at that time. He made a survey of the locality, but it ultimately came to nothing for it was found that the scheme would cost about Rs. 4 lakhs and 50 thousand and the municipality was unable to pay half the contribution as proposed. The matter was not taken up after that time. In the meantime, the Calcutta Corporation has excavated its Kulti Outfall Channel. The municipality approached the Corporation while the scheme was under examination and the drainage to a partial extent was made to flow through the outfall channel. But that has not solved the difficulty. The difficulty is still there. The annual flooding, although it is less, is there, and we request our popular Minister in charge of the Public

Health and Local Self-Government Department to take up that scheme sympathetically as it affects a vast locality. The scheme costing Rs. 4 lakhs and 50 thousand should be revised in view of the partial drainage of the area through Corporation outfall channel and the scheme may be re-examined for the protection of the poor people of the locality. This is for the protection of the Tollygunge area.

Then, Sir, I come to the question of the Tittaghur Khal. In the current year's budget Rs. 36,933 was provided. A similar amount has also been provided for the next year's budget. This is a matter of great importance for the localities concerned. The matter is being agitated since the year 1933 and a scheme was made for the re-excavation of the Tittaghur Khal. The khal is connected with the river Hooghly, but the mouth of the khal is completely silted up and unless excavation is made, there can be no drainage from that khal to the river. There is another difficulty, namely, the khal has passed through the Barrackpore Trunk Road. Some arrangement should be made for increasing the vent of the culvert under the road and the khal should be connected with the beels in the rural area. For, unless it is connected with the beels, water of the rural area cannot be drained out otherwise as it is the only drainage channel in that locality. I would request our Hon'ble Minister, who is so sympathetic in his consideration about these small drainage schemes, to take up the matter at an early date and have an estimate prepared for the same and thereby remove the drainage difficulties in that area.

**Mr. J. W. CHIPPENDALE:** Sir, I take this opportunity of expressing our appreciation of the improvements effected in the welfare and prospect of the nurses, their pay, status and conditions of service, and of bearing testimony to the courageous and solid work performed by these, our sisters, in hospitals, military areas and in the war zones.

This noble profession and honourable calling, demanding grave responsibilities, prompt initiative and resourcefulness in perplexities, inexhaustive patience and skilful and devoted service, deserves our warm gratitude. The excellent manner in which they have responded to the call of duty and performed their task of usefulness and work of mercy, in alleviating pain and suffering and imparting hope and sympathy and bestowing comfort and ease deserves our warmest praise and felicitations.

They have joined the military and civil services in large numbers and are doing their bit in training areas and theatres of war. They have earned our gratitude and the gratitude of their country by their brave self-devotion and unshrinking service of benevolence, mercy and compassion. We are proud of their achievements and congratulate them on their public spirited work and trust that when the clouds have passed by and normal times return again, with peace and tranquillity, their services will be remembered and their merit recognised

and that they will be given their due share of resulting advantages and preferments and be securely placed in the economy of progressive life and professional advancement. The training given and the standards adopted are worthy of notice and deserve recognition, and I hope that in the years to come the nursing diplomas and certificates given in this country will receive a world-wide acceptance within the British Empire and in other countries of the world. We welcome also the intensive training under the exigencies of war primarily for military purposes. This has eased the situation and has brought, in its wake, fresh avenues of service and utility. The young women of this province have availed themselves of these opportunities and will, without doubt, give a good account of themselves and their achievements in the careers which they have chosen.

It is a well-known fact that they possess abilities and need only opportunities. There have been, I am happy to say, improvements all round and we congratulate the authorities on these ameliorations and progress, as well as on the great opportunities which have been given to the nursing profession to prove their worth and secure their rights.

**The Hon'ble Mr. SANTOSH KUMAR BASU:** Sir, the Opposition has concentrated its attention upon a number of cut motions which raise certain very important issues.

With regard to the question raised by my honourable friend, Mr. Ahmed Hossain, as regards medicines which are generally made available by the local bodies in the different dispensaries, I can only inform him that reliable specifics for kala-azar and only tested drugs are used, so far as the Public Health Department is concerned. If new remedies are sought to be patronised, then certificates from the School of Tropical Medicine are insisted upon, before such new medicines can be given a trial. That is the system which is now adopted. From that point of view, if some unreliable medicines have found their way into these dispensaries, it is certainly to be regretted, and instances brought to the notice of the authorities will not fail to evoke sufficient attention.

Then, Sir, the next question that I would like to deal with in my reply is the question of the Tittaghur Khal which has been raised in the cut motion of Mr. Anukul Chandra Das. Mr. Das is probably aware that the old scheme for the improvement of the khal has been dropped. The failure of the municipality to come forward with contributions is the main reason and there are also other reasons which are beyond the control of this particular department with which I am concerned. The new scheme on a much more modest scale is now under contemplation, and it is for the municipality to take an initiative

in the matter and we are waiting for that initiative to come. So far as we are concerned, there will be no lack of assistance on our part if the other parties concerned come forward with their proposals and give their assistance.

The next question is with regard to the Tollygunge Embankment Scheme. Mr. Das himself has admitted that the Corporation has taken up the matter and, to a certain extent, been successful in carrying relief to the affected areas. But, at the same time, I give this assurance to the honourable member that if this scheme which has been undertaken and executed to a certain extent by the Corporation falls short of the requirements of the locality, Government will certainly step in and supplement the efforts of the Corporation in that behalf.

As regards the question raised by my honourable friend, Mr. Nikunja Behari Maiti, and other members, I shall take up the first the question of rural water-supply which has been stressed at some length by my honourable friend Mr. Ahmed Ali Mridha. The question of rural water-supply is unfortunately the last item upon which he could legitimately concentrate his attention. A few figures, if placed before the House, will convince the House that this attack is entirely unjustified.

The normal grant of Rs. 2½ lakhs which Government make annually for the improvement of rural water-supply was augmented by an additional grant of Rs. 5 lakhs in 1940-41 and augmented by a grant of Rs. 7½ lakhs in the current year's budget. In the coming year, in the budget that we are discussing at the present moment, in spite of the stress and strain on the provincial finances, in these difficult times, the same amount of Rs. 10 lakhs has been provided as was provided in the current year. There has been no attempt made to reduce the amount which was provided for rural water-supply in the current year in the next year's budget. Under these circumstances, I don't think that the attacks which had been sought to be levelled against the department by Maulvi Ahmed Ali Mridha were justified. I may add that for areas affected by cyclone and drought a sum of Rs. 2 lakhs was sanctioned especially for rural water-supply which has been disorganised and dislocated by those natural calamities. In addition to this, a sum of Rs. 63,000 has been provided for the Chittagong Municipality for the purpose of augmenting the water-supply. Rupees 5 lakhs has been distributed in the current year to different districts of the province. From the Loan Fund, amounts have been advanced at least to one District Board, Malda District Board, which came forward with a proposal to the extent of Rs. 21,000. Unfortunately the local bodies have not played their part in bringing forward schemes which might have entitled them to draw upon this source and it does not lie in the mouth of these local bodies or in the mouth of those connected with them to come forward and level charges of the kind that

we have listened to this morning. Mr. Mridha has also taken this opportunity of levelling a charge of stealing according to his own conception at the present Government on the ground that an assurance was given, at the time the Sales Tax Bill was passed, by the ex-Finance Minister that all this money would be utilized for nation-building purposes. It is said that the assurance has not been honoured and my friend Mr. Mridha says that it amounts to pilfering. In his own inimitable style he says that it amounts to stealing. I cannot quarrel with the language that he has used. It only reflects the mentality of one who uses that language. I cannot improve it here and now by an oration on my part. At the same time I take this opportunity of telling my friend Mr. Mridha that the same ex-Finance Minister who held out that assurance for the purpose of making this House accept the Sales Tax Bill was also responsible to a certain extent for the huge deficit to the tune of Rs. 1½ crores, and it was left to this unfortunate Government to square up that deficit in the best way they possibly could or make an attempt to do so. I do not know how that deficit was brought about. Some part of it at any rate was due to expenditure like the travelling allowances drawn by committees such as those which dignified themselves with the name of Industrial Survey Committee under the chairmanship of my friend Mr. Fazlur Rahman. It went on a roving mission throughout the country, throughout the length and breadth of India, and thereby piling up the travelling allowances which travelled straight into the pockets of the worthy chairman and other members of the committee. There are several other matters which are responsible for this deficit and though the assurance given by the ex-Finance Minister even if it had been given in a *bona fide* manner could not be kept, I don't think that this Government deserve all the fine appellations that my friend Mr. Mridha had applied.

**Mr. ABDULLA-AL MAHMOOD:** May I ask a question? Will the Hon'ble Minister be pleased to state whether the present Government is trying to review——

**The Hon'ble Mr. SANTOSH KUMAR BASU:** I am not going to give way to my friend. As regards the other question raised——

**Mr. ABDULLA-AL MAHMOOD:** May I ask a question?

**Mr. DEPUTY SPEAKER:** I will not allow any debatable questions to be raised.

**Mr. ABDULLA-AL MAHMOOD:** My question was this. The Hon'ble Minister was just now referring to the money which was to be kept for nation-building purposes, but the proceeds of the Sales

Tax Act were devoted by the ex-Finance Minister to meet the deficit of the budget. My definite question to the Hon'ble Minister is this, whether he is just trying to review that order and allocate that money for nation-building purposes?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** This requires to be examined. It requires a consideration of the entire budgetary position, and I don't think that my friend is justified in putting such a question, whose relevancy is very much doubted by me.

As regards the other questions raised by my friend, I assure him that I shall look into them most earnestly and sympathetically and wherever relief is needed, it will not be found wanting.

The motion of Dr. Nalinaksha Sanyal that the demand of Rs. 47,61,000 under the head "39—Public Health" be reduced by Rs. 100 was then put and lost.

The motion of Mr. Ahmad Hosain that the demand of Rs. 47,61,000 under the head "39—Public Health" be reduced by Rs. 100 was then put and lost.

The motion of Dr. Sharat Chandra Mukherji that the demand of Rs. 47,61,000 under the head "39—Public Health" be reduced by Rs. 100 was then put and lost.

The motion of Maulvi Ahmed Ali Mridha that the demand of Rs. 47,61,000 under the head "39—Public Health" be reduced by Rs. 100 was then put and lost.

The motion of Mr. Nikunja Behari Maiti that the demand of Rs. 47,61,000 under the head "39—Public Health" be reduced by Rs. 100 was then put and lost.

The motion of Rai Sahib Anukul Chandra Das that the demand of Rs. 47,61,000 under the head "39—Public Health" be reduced by Rs. 100 was then put and lost.

The motion of Rai Sahib Anukul Chandra Das that the demand of Rs. 47,61,000 under the head "39—Public Health" be reduced by Rs. 100 was then put and lost.

The main motion of the Hon'ble Mr. Santosh Kumar Basu that a sum of Rs. 47,61,000 be granted for expenditure under the head "39—Public Health" was then put and agreed to.

## Point of Order.

**Dr. NALINAKSHA SANYAL:** May I rise on a point of order which was raised regarding a resolution purported to have been given notice of by Mr. Abdur Rahman Siddiqi? May I have your ruling to-day, Sir?

**Mr. DEPUTY SPEAKER:** With regard to that point of order, I have looked into the file. The Hon'ble Speaker has admitted that motion in an amended form.

**Dr. NALINAKSHA SANYAL:** Is it a special motion?

**Mr. DEPUTY SPEAKER:** Yes.

**Dr. NALINAKSHA SANYAL:** It cannot be taken up unless the departmental officers agree.

**Mr. DEPUTY SPEAKER:** So far as publication is concerned, I may tell you that we do not generally encourage, rather we discourage publication of this sort of motion by the newspaper. I will look into the matter and when the motion comes actually before the House——

**Dr. NALINAKSHA SANYAL:** Will it at all come up?

**Mr. DEPUTY SPEAKER:** I do not know what will be the attitude of the Hon'ble Minister concerned. I have not yet gone through the file minutely. As far as the question of publication is concerned, I have said we do not encourage this sort of publication.

## Adjournment.

It being 11-35 a.m.—

The House was adjourned till 8-30 a.m. on Tuesday, the 17th March, 1942, at the Assembly House, Calcutta.

# Proceedings of the Bengal Legislative Assembly assembled under the Provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Tuesday, the 17th March, 1942, at 8-30 a.m.

**Present:**

Mr. Deputy Speaker (Mr. SYED JALALUDDIN HASHEMY) in the Chair, 6 Hon'ble Ministers and 195 members.

## STARRED QUESTIONS

**(to which oral answers were given)**

### Revision of the Communal Ratio Rules.

***167. Dr. NALINAKSHA SANYAL:** (*a*) Will the Hon'ble Minister in charge of the Home (Appointment) Department be pleased to state whether the present Ministry contemplate to make up communal proportion in the services by importing persons belonging to particular communities from outside the Province in case suitable applicants of that community are not available in Bengal?

(*b*) Do the Government contemplate the revision of the present communal ratio in the Services Rules? If so, when?

**MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq):** (*a*) With certain exceptions posts under the Provincial Government are reserved for persons who are either natives of, or permanently domiciled in, Bengal and there is no question therefore of appointing persons from outside the Province.

(*b*) No.

**Sj. NARENDRA NATH DAS GUPTA:** Will the Hon'ble Minister be pleased to let us know what are these "certain exceptions," as stated in his reply (*a*)?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I want notice.

**Reversion of Director of Public Information and Assistant Director of Public Information.**

*168. **Mr. K. SHAHABUDDIN:** (*a*) Will the Hon'ble Minister in charge of the Publicity Department be pleased to state—

(*i*) whether Mr. Altaf Husain, Director of Public Information, has been ordered to revert to his former post under the Education Department; and

(*ii*) whether Mr. Abdul Wadud, Assistant Director of Public Information, has been ordered to revert to his original post of a Sub-Deputy Magistrate?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons for such orders of reversion?

(*c*) Will the Hon'ble Minister be pleased to state whether the Public Service Commission is to be consulted before such orders are passed?

(*d*) Will the Hon'ble Minister be pleased to state whether the Public Service Commission was consulted before such orders were passed?

(*e*) If the answer to (*d*) is in the negative, will the Hon'ble Minister be pleased to state whether he is contemplating taking necessary step to consult the Public Service Commission?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** (*a*) Yes.

(*b*) The question of reorganising the department has been under consideration for some time and Government thought it desirable to try new men who might be expected to bring fresh ideas to bear on the problems which have to be solved.

(*c*) to (*e*) There is no rule or convention according to which the Commission should be consulted in such cases.

**Maulvi MAFIZUDDIN AHMED:** Will the Hon'ble Minister be pleased to state from what time the question of reorganising the department has been under the consideration of the Government?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** It has been under consideration for about six months now and the order about Mr. Altaf Hosain was passed some time in August.

**Maulvi MAFIZUDDIN AHMED:** Is it a fact that the order was passed after the resumption of office by the present Ministry?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** No, Sir. As I have said, the order was passed some time in August, but Mr. Altaf Husain was kept on because the proposal we had in view did not then materialise, and so Mr. Husain had made over his charge only three or four days ago.

**Maulvi MAFIZUDDIN AHMED:** Is it a fact that the order was passed when the ministerial crisis was going on?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** No, long before that.

**Mr. AHMED HOSAIN:** With reference to answer (*b*) will the Hon'ble Minister be pleased to state what are the fresh ideas bearing on the problems which have to be solved?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, may I point out to the honourable members that so far as the two officers are concerned about whom these questions have been asked, their records have been exceptionally good. Mr. Altaf Husain was my choice when the Publicity Department was set up and I have found his work to be uniformly satisfactory.

As regards new ideas it has been decided to have something like a Publicity Department in connection with the All-India Radio and other cognate matters. Several new posts have been created. We are in communication with the Government of India, and it is for this reason that a full and thorough reorganisation has got to take place and the services of Mr. Altaf Husain have been requisitioned for some other important work.

**Mr. AHMED HOSAIN:** Will the Hon'ble Minister be pleased to state whether these fresh ideas bearing on the problems mean personal propaganda for the Chief Minister?

**Mr. DEPUTY SPEAKER:** That question does not arise.

**Withdrawal of ban on public meetings.**

***169. Dr. SARAT CHANDRA MUKHERJEE:** (*a*) Is the Hon'ble Minister in charge of the Home Department aware—

(*i*) that the Working Committee of the Indian National Congress has passed a resolution to start volunteer organisations in all places in order to help people; and

(*ii*) that they have also resolved to co-operate with other such bodies or organisations also without having any disagreement between the two?

(*b*) Is the Hon'ble Minister aware that such an organisation cannot be formed without public meetings?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state whether he contemplates the withdrawal of the order of banning meetings from the places where it exists?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** (*a*) I am informed that statements to this effect or of a similar character have appeared in the press.

(*b*) and (*c*) I am aware of no order banning meetings anywhere in this Province.

**Dr. SURESH CHANDRA BANERJEE:** Are we to understand that meetings in any part of the province of Bengal can now be held without permission being previously taken from the local authorities?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I submit that the question of people holding meetings at their pleasure and the question of banning of meetings are quite different things, and, therefore, I also submit that this question does not arise out of the main question.

**Maulvi MAFIZUDDIN AHMED:** Will the Hon'ble Minister be pleased to state whether there is a general order under section 144 of the Criminal Procedure Code banning all meetings in Tippera without previous permission?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I am not aware of that.

**Mr. P. BANERJEE:** Is the Hon'ble Minister aware that District Magistrates insist on persons holding meetings taking previous permission from them and in cases where such permission is not sought the persons organising such meetings are arrested and harassed?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** As I have said, Sir, there is no order generally applicable throughout the province banning all meetings but in certain cases if the District Magistrate thinks that the purpose of the meeting falls under the Defence of India Rules which is an extraordinary piece of legislation, such a meeting can be banned by him and he has the power to do so.

**Mr. DHIRENDRA NATH DATTA:** Is it not a fact that the Defence of India Rules require that meetings cannot be held without previous permission of the District authority?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** The rules do not in so many words lay down that but the District Magistrate can in exercise of the power conferred on him under the Defence of India Rulse require that he should be consulted before any meeting is actually held.

**Mr. SASANKA SEKHAR SANYAL:** Will the Hon'ble Minister consider the question of issuing instructions to District Magistrates asking them to afford facilities to volunteer organisations for convening meetings with a view to organising an adequate civil defence?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** That is a different matter and I am prepared to consider the question.

**Mr. H. S. SUHRAWARDY:** Will the Hon'ble Minister be pleased to state if orders under section 144 were passed in the district of Tippera at the time of the Ministerial crisis to prevent Muslim League meetings being held without the permission of the District Magistrate?

**Mr. SASANKA SEKHAR SANYAL:** On a point of order, Sir. That question does not arise out of the main question, and it should be tabled and answered as a different question. A supplementary question must be relevant to the question that has been tabled.

**Mr. DEPUTY SPEAKER:** The intention of a supplementary question is to elucidate information on further matters of fact arising out of the answers given. Therefore, I hold that Mr. Suhrawardy's question is in order.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** As I have just stated in answer to a question put by Mr. Mafizuddin Ahmed, I have heard but I am not aware of it. I am prepared to find out on enquiry what were the circumstances under which the District Magistrate passed that order if he did actually do so.

**Mr. H. S. SUHRAWARDY:** I am deeply grateful for it, but will the Hon'ble Minister, while making this enquiry, consider the question of revising that order in case the conditions so require?

**Mr. DEPUTY SPEAKER:** That is a request for action.

**Money spent through District Board of Tippera for test relief works.**

***170. Mr. JONAB ALI MAJUMDAR:** Will the Hon'ble Minister in charge of the Revenue Department be pleased to state—

(*a*) the amount that has been advanced to the District Board of Tippera from January, 1941, to 31st January, 1942, for test relief works within that district;

(*b*) amount that has been spent for test relief works up to 20th February, 1942; and

(*c*) when and where those test relief works have been undertaken?

**MINISTER in charge of the REVENUE and JUDICIAL and LEGISLATIVE DEPARTMENTS (the Hon'ble Mr. Pramatha Nath Banerjee):** (*a*) Rs. 48,400.

| | Rs. | a. | p. |
|---|---|---|---|
| (*b*) From Government advance ... ... | 35,373 | 15 | 0 |
| From District Board Fund ... ... | 14,380 | 6 | 6 |
| Total ... ... | 49,754 | 5 | 6 |

(*c*) A statement is laid on the Table.

*Statement referred to in reply to clause (c) of starred question No. 170.*

| Name of places where test relief works were done. | Date of opening centres. With District Board amount. | Date of opening centres. With Government advance. |
|---|---|---|
| *Chandpur subdivision* | | |
| 1. Algadurgapur | 29th June, 1941 | .... |
| 2. Chardukha | 30th June, 1941 | 18th October, 1941. |
| 3. Faridganj | 29th June, 1941 | 10th October, 1941. |
| 4. Chitoshi | 29th June, 1941 | 15th September, 1941. |
| 5. Govindapur | 19th July, 1941 | 18th October, 1941. |
| 6. Rupsa | 20th July, 1941 | 10th October, 1941. |
| 7. Gupti | 25th July, 1941 | 26th September, 1941. |
| 8. Gandarvapur | 3rd August, 1941 | 11th September, 1941. |
| 9. Barkul | 14th August, 1941 | 16th September, 1941. |
| 10. Roysree | 13th August, 1941 | 11th September, 1941. |
| 11. Suchipara | 19th August, 1941 | 26th September, 1941. |
| 12. Hanerchar | .... | 19th September, 1941. |
| 13. Paikpara | .... | 7th October, 1941. |
| 14. Subidpur (Kamtabazar) | .... | 27th September, 1941. |
| 15. Hajiganj | .... | 18th October, 1941. |
| 16. Gollak | .... | 10th February, 1942. |
| 17. Sendra | .... | 11th January, 1942. |
| 18. Sahebganj | .... | 18th February, 1942. |
| *Brahmanbaria subdivision.* | | |
| 1. Nasirnagar | 25th July, 1941 | 18th September, 1941. |
| 2. Sarail | 28th July, 1941 | 15th September, 1941. |
| 3. Nabinagar | 1st August, 1941 | 26th September, 1941. |
| 4. Sultanpur | 8th August, 1941 | 15th September, 1941. |
| 5. Chatalpar | 10th August, 1941 | 12th November, 1941. |
| 6. Natghar | 12th August, 1941 | 10th September, 1941. |

| Name of places where test relief works were done. | Date of opening centres, With District Board amount. | With Government. advance. |
|---|---|---|
| 7. Bholakutbazar .. | .... | 1st October, 1941. |
| 8. Aurail .. .. | .... | 6th October, 1941. |
| 9. Paniswar .. .. | .... | 18th October, 1941. |
| 10. Shimnabazar .. .. | .... | 12th November, 1941. |
| 11. Konda .. .. | .... | 1st December, 1941. |
| 12. Gokorna .. .. | .... | 16th February, 1942. |
| 13. Shibpur .. .. | .... | 25th January, 1942. |
| 14. Fandauk .. .. | .... | 29th January, 1942. |
| 15. Bidyakut .. .. | .... | 18th January, 1942. |
| 16. Kalikatcha .. .. | .... | 15th February, 1942. |
| *Sadar subdivision.* | | |
| 1. Gunabati .. .. | 2nd July, 1941 .. | .... |
| 2. Natherpetua .. .. | 30th June, 1941 .. | 13th February, 1942. |
| 3. Balikhara .. .. | 10th July, 1941 .. | .... |
| 4. Satbaria .. .. | 23rd July, 1941 .. | .... |
| 5. Raghurampur .. .. | 23rd July, 1941 .. | .... |
| 6. Kahetura .. .. | 3rd September, 1941 .. | 10th September, 1941. |
| 7. Bhurbhuria .. .. | ... | 15th September, 1941. |

**Mr. SHAHEDALI:** Will the Hon'ble Minister please state why the balance of about Rs. 13,000 was not given to the people by way of relief?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** The matter rests in the discretion of the district authorities and presumably the district authorities did not find it necessary, but if the honourable member thinks that there is need for it, circulars will issue.

**Mr. SHAHEDALI:** Is the Hon'ble Minister aware that the major portion of the money meant for the Chandpur subdivision was spent in the constituency of the Chairman, District Board, who is also a member of the House?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** I have no positive information on the point, but I should be very sorry to imagine that that is so.

**Mr. SHAHEDALI:** Will the Hon'ble Minister be pleased to state if it is a fact that not a single cowrie has been spent in the constituency of Mr. Shahedali, M.L.A.?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** I am very sorry for the gentleman whose name has been mentioned just now.

**Maulvi MAFIZUDDIN AHMED:** Is the Hon'ble Minister aware that there was no damage done to crops or to anything else by cyclone or flood in the constituency of Mr. Shahedali, M.L.A.?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** I am afraid I have no such present information.

**Mr. DHIRENDRA NATH DATTA:** Will the Hon'ble Minister please tell us the nature of the test relief works?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** I am afraid I have not got the information here because that was not the question put, but if my friend requires the information, I am prepared to supply it.

**Mr. DHIRENDRA NATH DATTA:** Is the Hon'ble Minister aware that the contemplated test relief work in the shape of earthwork has not been taken up and on account of that the people are suffering great hardship?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** I am very sorry to hear it, but I shall certainly be prepared to enquire into it.

**Maulvi MAFIZUDDIN AHMED:** Is the Hon'ble Minister aware that no money has been spent for earthwork in the district of Tippera?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** I have no present information, but I shall look into the matter.

**Mr. SHAHEDALI:** Is the Hon'ble Minister aware that the Hon'ble Mr. Shamsuddin Ahmed detected that the money was not wholly spent for Chandpur subdivision and he threatened in a meeting to bring a defalcation case?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** I am not aware of it. My honourable friend Mr. Shamsuddin Ahmed has not come. If he had been here, I could have got the information from him.

**Granting of licence for jute cultivation in small holdings.**

***171. Mr. MIRZA ABDUL HAFIZ:** (*a*) Is the Hon'ble Minister in charge of the Agriculture and Industries Department aware that there is a large number of cultivators—

(*i*) who have not got any licence for growing jute; and

(*ii*) who got only a few decimals of acre in the last year for the purpose?

(*b*) If the answer to (*a*) is in the affirmative, is the Hon'ble Minister considering the desirability of granting licences for *one acre of land* for growing jute to those referred to in clauses (*i*) and (*ii*)?

**Mrs. HASINA MURSHED (on behalf of the Hon'ble Nawab Khwaja Habibulla Bahadur, of Dacca):** (*a*) (*i*) There is indeed a very large number of cultivators especially in West Bengal who have no lands suitable for jute and they do not grow jute. Hence they have not been recorded as jute-growers.

But if the honourable member is referring to persons who have been recorded as jute-growers the reply is that we are not aware of the fact that any recorded jute-grower was deprived of his right to grow jute on one-third of the recorded land except those who themselves declined to take their licences in spite of repeated reminders. The area covered by such withheld licences in 1941 was 1,045 acres.

(*ii*) The total number of recorded jute-growers in the Province in the year 1941 was 5,797,909, out of these 542,775 growers held *khatians* for jute lands varying from ·10 to ·01 acre each in area. The total of such lands was 33,641 acres.

(*b*) Each was allotted a quota calculated at one-third of his recorded land subject to a minimum of ·01. The law as it stands at present does not give any such discretion in the matter.

## Engagement of officers and staff of Industries Department in war supply work.

***172. Mr. AMRITA LAL MONDAL:** (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state whether it is a fact that a number of officers and staff of the Industries Department are now engaged in the task of supplying war materials?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) the names of such employees of the Industries Department;

(*ii*) the specific duties entrusted to each;

(*iii*) the normal duties of each of the above persons;

(*iv*) what arrangement has been made to have such normal duties performed;

(*v*) what contribution, if any, is received from the Government of India for the entertainment of such staff of the Industries Department as are engaged in war supplies work.

(*vi*) what are the different war supplies which the Department of Industries have been assisting in; and

(*vii*) what funds, if any, have been placed at the disposal of the Director of Industries to enable him to arrange such supplies?

(*c*) Will the Hon'ble Minister be pleased to state whether any private businessmen have been displaced by the Director of Industries and the Department of Industries have taken up contracts for the supply of certain materials?

**Mrs. HASINA MURSHED (on behalf of the Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca):** (*a*) Yes; one officer and four assistants.

(*b*) (*i*) Mr. Mukul Gupta, Assistant Director of Industries, Babu Phanindra Nath Bose, Babu Ajoy Madhab Mitra, Babu Bhupendra Nath Chatterjee and Babu Raghunath Banerji.

(*ii*) The Assistant Director of Industries is in general charge of the War Supply Section The assistants deal with accounts and correspondence and the keeping and transporting of stores.

(*iii*) The normal duties of the Assistant Director of Industries are those stated in part (*ii*). The assistants are clerks in the office of the Director of Industries.

(*iv*) The normal duties of the assistants are performed in the usual manner. Their War Supply Section work is done outside office hours.

(*v*) War supply work is organised in a separate office, the entire expenses of which are paid by the Government of India, including an extra allowance to the assistants concerned.

(*vi*) (1) Camouflage nets, (2) blankets, (3) parachute fabrics, (4) parachute components, (5) combs, (6) buttons, and (7) hats.

(*vii*) Government of India have placed a credit of Rs.2,00,000 at the disposal of the Director of Industries for the production of camouflage nets. The Government of India pay for other products direct to the suppliers.

(*c*) Articles which are being supplied by the Department of Industries are all products of cottage workers. One of the *raisons d'etre* of the Department of Industries is the marketing of products of cottage industries. It is as such that the Department of Industries is getting the articles produced by cottage workers and then supplying to the Government of India. This has resulted in the elimination of certain middlemen.

## DEMAND FOR GRANTS.

### 27—Administration of Justice.

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** Sir, on the recommendation of the Governor I beg to move that a sum of Rs. 70,11,000 be granted for expenditure under the head "27—Administration of Justice".

**Mr. SERAJUL ISLAM:** Mr. Deputy Speaker, Sir, I beg to move that the demand of Rs. 70,11,000 for expenditure under the head "27—Administration of Justice" be reduced by Rs. 100. The object of the motion is to raise a discussion about the closing of the High Court during *Jumma* prayers on Fridays.

Sir, in Civil Rules and Orders of the High Court, Volume I, Part 1, in rule 1(*4*), we read the following:

"The sittings of all courts shall be suspended from 12-30 to 2 p.m. on every Friday to enable Muhammadan employees, pleaders and their clerks, witnesses and litigants to say their *Jumma* prayers but the works of the offices attached should not be suspended during this period, provided that Muhammadan employees of Government should, if they so desire, be permitted to abstain themselves during the time the sittings of the Courts are suspended and that other Muhammadans having business in the office should not be required to attend during the time."

Sir, this is a Standing Order of the Hon'ble High Court and in due obedience to this order the courts subordinate to the Hon'ble High Court are closed during the *Jumma* prayers as prescribed by these rules, but, Sir, it strikes me most and also it is very painful to tell this House that the Benches of the Hon'ble High Court do not close on Fridays just as the courts subordinate to the High Court do. Therefore, I bring this matter before the House to request the Hon'ble Minister in charge to see to the matter, so that the Benches of the Hon'ble High Court do observe this rule on Fridays.

Now, Sir, with regard to the timing prescribed in the rule, that is, from 12-30 to 2 p.m. With the introduction of Bengal time, I hope, a corresponding amendment will now be made in the rules. I do not like to make any further observation on this matter about the Hon'ble High Court. I think I should take my seat only by requesting the Hon'ble Minister once more, so that he may be pleased to look into the matter with interest, and that from now on the Hon'ble High Court may observe this rule on every Friday to the satisfaction of all the Muhammadans—clients and advocates and other officers attached thereto.

**Mr. DHIRENDRA NATH DATTA:** Sir I beg to move that the demand of Rs. 70,11,000 for expenditure under the head "27—Administration of Justice" be reduced by Rs. 100. The object of the motion is to raise a discussion about—

(*i*) the recruitment of judicial officers,

(*ii*) the high pay of the judicial officers and the low pay of the lower grade ministerial officers,

(*iii*) the corruption in public service,

(*iv*) the retrenchment in general,

(*v*) the necessity of introducing a system of recording evidence in Bengali and writing judgment in Bengali, too, and

(*vi*) the desired amendment of the Bengal Money-lenders Act, 1940, with a view to give reliefs to the debtors which are intended to be given.

Mr Deputy Speaker, Sir, it is very difficult to speak in an atmosphere of unreality. However, we have got to speak. We must carry on the ordinary administration of the country. My motion relates to certain heads and first of all I shall deal with the recruitment of Judicial officers My idea with regard to the recruitment of Judicial officers is—I do not know whether it will be acceptable to the Hon'ble Minister—that the present system of recruiting a Judicial officer immediately after he has graduated himself in law seems to me not to have worked well. The old system of recruiting judicial officers from persons who have practised in law courts for about three years seems to have worked better than the present system. By practising in law courts for three years individual angularities are removed. Besides that, one can get an idea of what the law courts are and can get into touch with the real litigant public. So, Sir, the system in my opinion should be revised.

Then, Sir, besides the recruitment of judicial officer, the present system of recruiting Assistant Sessions Judges from the Subordinate Judges is extremely bad. Under this system an officer who has dealt with civil cases for 20 or 25 years is called upon to administer criminal law at the fag-end of his career. He had been practising civil law and he had absolutely no idea of the criminal law which concerns the life and death of persons. Then, Sir, an I.C.S. Officer who has worked as Subdivisional Officer for 4 or 5 years, after he has passed the I.C.S. Examination, is called upon to administer civil law and hear appeals against the decision of the Subordinate Judges as an Additional District Judge. The system is extremely bad, and requires revision.

Then, Sir, I shall go into the question of high pay of the judicial officers and low pay of the lower grade ministerial officers and along with it retrenchment in general. If you look at pages 76-77 of the

Blue Book you will find that the expenditure under the head "Administration of Justice" is on the increase. In the year 1940-41 the expenditure was Rs. 96,06,000, in the year 1941-42 the expenditure was Rs. 97,53,000 and this year the budgeted expenditure is Rs. 97,55,000. Along with that we shall have to consider the expenditure under the head "General Administration—Debt Conciliation". This year the expenditure under this head is Rs. 23,50,000. So we find the expenditure under the head "Administration of Justice" is on the increase. Mr. Deputy Speaker, Sir, this is a matter which requires consideration. If you look at page 23 of the Blue Book you will find that revenue receipt under this head on account of sale of court-fee stamps is Rs. 1 crore and 70 lakhs and other income under the head "Administration of Justice", is Rs. 15,22,000. So we find that revenue receipts under this head amount to Rs. 1 crore, 85 lakhs and 22 thousand. The total income under this head is Rs. 15 crores, 69 lakhs and 79 thousand. So the revenue from this head "Administration of Justice" is one-eighth of the total income. Mr. Deputy Speaker, Sir, you are fully aware that the rate of court-fee in the province of Bengal is higher than the rate of court-fee in other provinces. In the year 1922-23 when the Court Fees Act was amended, an assurance was given by the then Hon'ble Member of the Executive Council that the money that will be raised by the sale of court-fee stamps at the increased rate will be spent for the nation-building activities. If the Hon'ble Minister will look to the proceedings of the year 1922-23, he will find that that was the assurance given. The litigant public contributes towards revenue to the extent of one-eighth of the total income. Though the assurance was given that the money will be spent to the nation-building department, you will find that the expenditure under this head is Rs. 97,55,000 *plus* Rs. 23,50,000, that is, Rs. 1 crore, 21 lakhs and 5 thousand. So nothing remains to be spent for really nation-building activities. I submit that retrenchment can be made by cutting down the pay of the Subordinate Judges and the pay of the Munsifs. We cannot talk of cutting down the pay of the I.C.S. officers.

With regard to the law officers I beg to draw the pointed attention of the Hon'ble Minister to this fact that if we look to the expenditure we will find that the expenditure is about Rs. 5 lakhs. Besides Government Pleaders, besides the Public Prosecutors, huge sums are spent for fees to the pleaders other than Government Pleaders in conducting criminal as well as civil cases. I submit and draw the attention of the Hon'ble Minister to this fact that this expenditure may be cut down. We cannot talk of the High Court, because it is sacrosanct. We cannot reduce even a single peon in the High Court. That is the situation under the Government of India Act. I am quite aware of the limitation of the Act but still there is ample room for retrenchment. The Bengal litigant public pay a large amount of money by way of court-fee stamps and if

that amount is spent really for nation-building activities, it will go a great way towards alleviating the suffering of the litigant public and the public in general.

The next thing to which I would like to draw the attention of the Hon'ble Minister is the corruption in Public Services. With regard to corruption I beg to draw the pointed attention of the Hon'ble Minister to the low pay of the Ministerial officers. The Hon'ble Minister is aware that the pay of the Ministerial officers who are in the lower grade is from Rs. 35 to Rs. 55. The Hon'ble Minister is also aware of the fact that the persons appointed to the Ministerial service are mostly recruited from the middle class. Their standard of living is almost equal to the standard of living of judicial officers, munsifs and Subordinate Judges. They have children to educate and daughters to marry. The pay of the ministerial officers is ridiculously low. Their pay must be revised and increased to stop corruption in the public services. There is corruption in civil courts. The litigant public pay a large sum in the shape of court-fees and also have to pay a large sum in the shape of bribery. The corruption must be removed, and I feel very strongly in this matter. Unless corruption is removed no work, no plan can succeed. I am fully aware that Debt Settlement Boards confer benefit on debtors but the administration of law has been entrusted to people who are really corrupt. So the result is disastrous. In all these matters what is essential is the removal of corruption. Unless corruption is removed from public services it is impossible to give effect to any plan however good it may be. If you want to remove corruption you must give decent pay to the ministerial officers. They are hardworking people but their pay is scandalously low. So, the pay of ministerial officers should be increased and the pay of judicial officers decreased

Then, as regards the necessity of introducing a system of recording evidence in Bengali and also writing judgment in Bengali, I am fully aware of it and I do not know whether the Hon'ble Minister is aware of it or not. I have been in the profession for the last thirty years. We cannot express ourselves properly in English. Many munsifs and Subordinate Judges do not record evidence because they do not know how to do that and when they do, they do not at all maintain the spirit of the evidence taken. Simply they cannot. Often times when they cannot express themselves properly in English they say "put another question as these things cannot be expressed in English". So, it is necessary that evidence should be recorded in Bengali and also the judgment given in Bengali. I think that the Hon'ble Minister is aware that evidence used to be recorded and judgment delivered in Bengali. Close to my district, there is the Tripura State. If you go to Tripura you will find that evidence is recorded in Bengali and also beautiful judgments delivered in Bengali. I feel proud of that. If arrangements can be made for the recording of

evidence in Bengali and if judgments can also be given in Bengali, there will be a great improvement in Bengali literature. To this aspect of the matter, I wish to draw the pointed attention of the Hon'ble Minister in charge of Administration of Justice.

The next thing I want to speak about is the amendment of the Bengal Money-lenders Act. I do not want to speak on controversial matters. I only want to refer to section 36 of the Bengal Money-lenders Act where the intention of the legislature has been frustrated. That is a section which was intended to give relief to the poor. It was intended that the decree which was not satisfied on or before 1st January, 1939, could be re-opened. That was the intention of the legislature and the intention is clear. But, Sir, in proviso (*ii*) of sub-section (*1*) of section 36 of the Bengal Money-lenders Act, there is an expression "in a suit to which this Act applies" and this expression "suit to which this Act applies" has been defined in sub-clause (*22*) of clause 2 of the Money-lenders Act, as a suit or proceeding instituted or filed on or after the 1st day of January, 1939. The decree which was not satisfied before 1st January, 1939, can be re-opened, but, Sir, in that proviso there is the wording that the decree must be passed in a suit instituted after the 1st January, 1939. The intention of the legislature has been frustrated specially in view of the decision of the Hon'ble High Court and their interpretation of proviso (*ii*) of sub-section (*1*) of section 36 of the Money-lenders Act—page 45 of the Calcutta Weekly Notes. Nowadays no relief can be given specially in the re-opening of any decree whatsoever. I only want that section 36 of the Money-lenders Act should be amended with a view to give effect to the intention of the legislature. This is a matter to which I want to draw the pointed attention of the Hon'ble Minister. It is impossible to argue a case before members who do not understand it. I have got a copy of a draft Bill amending the Bengal Money-lenders Act with a view to give relief to debtors. I want to place the draft before the Hon'ble Minister who will understand what I mean. I feel very strongly that an amendment of section 36 of the Bengal Money-lenders Act is immediately necessary in order to give relief to poor persons.

With these few words, I commend my motion to the acceptance of the House.

**Mr. P. BANERJI:** Mr. Deputy Speaker, Sir, I beg to move that the demand of Rs. 70,11,000 under the head "27—Administration of Justice" be reduced by Rs. 100. The object of the motion is to raise a discussion on the question of the failure of Government to take effective steps in removing corruption from the law courts.

Sir, it is well-known that the members of this House have been crying themselves hoarse for the removal of corruption from the law

courts. The lawyer members of the House are well aware how corruption is increasing day by day in the law courts. Mr. Dhirendra Nath Datta has remarked in passing that this is one of the evils from which the litigant public is suffering and he has expressed the view that if the scale of pay of ministerial officers is increased, then perhaps there is every chance of this evil being eradicated. I do not exactly share this view of his. Of course, I concede that this is one of the ways by which corruption can be removed. Sir, I think, it was Nawab Musharruff Hossain, the Judicial Minister of the previous Government, who suggested when there was an insistent demand in the House that the scale of pay of the ministerial officers should be enhanced that it could not be done on the ground that they are having an additional income from other sources. I think, the present Hon'ble Minister in charge of the Department is aware of this, because he was present in the House when the honourable Nawab Musharruff Hossain made such a statement. I think that such a statement is ridiculous on the part of any honourable member of the Cabinet. However, be that as it may, the fact remains that corruption is rampant there. Now, what is the remedy for these evils? The Hon'ble Minister today might say that he has just taken over the portfolio and it is not possible to remedy these evils in a day. He might say—as we anticipate he will—that Rome was not built in a day. We do not say that Rome was built in a day, nor do we expect it, but what I say is that there must be a beginning, a good beginning, in finding out means as to how these evils can be removed. Sir, I do not like to go into the details of these corruptions as there is no sufficient time. As I said in the beginning, the lawyers are quite aware that the condition precedent to filing a suit is to pay one rupee to the peshkar and four annas to the clerk. Sir, you will be surprised to hear what is the position today. The position today is that if the peshkar is approached, particularly in the Alipore Court with which I am intimately connected, in connection with filing a suit and is offered one rupee he refuses to accept it, saying "I am not a petty-fogging lawyer sitting under a banyan tree that I will accept one rupee". These peshkars are not satisfied with an offer of one rupee even. That is the position. Sir, if a Commission is set up to enquire into these corruptions I will be in a position to prove that these peshkars who draw a salary of Rs. 35 to Rs. 80 or say, Rs. 100, many of them, have got as many as three or four double-storied houses in Calcutta or in district towns while the judicial officers under whom they serve live in rented houses. These are open secrets, but I do not blame them alone; I would blame the judicial officers as well because many of them, though not all of them, connive at these things.

Now, Sir, some of my friends say what can these judicial officers do in the matter because they are already overworked: they have to hear cases, deliver judgments and do many other things, and so it is

not possible for them to give their attention to this direction. But what I feel is that unless and until there is proper supervision of this department by the judicial officers themselves, just as there is supervision by officers in other departments of the Government, these corruptions can and will never be removed. Sir, I am neither convinced that these judicial officers are so overworked that they cannot turn their attention to this direction. I know rather that these munsifs, these judges do not appear in court in time in most cases and even if they appear they sit in their chambers, talking to their friends. I say this from my personal experience in a recent case in which I was called as a witness. I was asked to be present at the court punctually at 11 o'clock. I was waiting there from 11 o'clock but the Munsif did not turn up and the court was empty. It was only in the month of January last. After one hour it was whispered that the Munsif was there in his chamber. Then the honourable Munsif appeared in the court and began looking at whatever files the peshkar was placing before him. It appeared that he was nobody, the peshkar was all in all.

Now, Sir, the Hon'ble Minister must know that if a person has to file a petition at 11 o'clock, that petition has to be stamped, but unless two annas is given to the clerk it cannot be stamped in time. In the Alipore Court, even after stamping, if a person is late even by a minute and cannot file his petition before 11 o'clock, then an application has to be made to the peshkar explaining the position. But if that person can give some tip to the peshkar, then that petition can be filed even after two hours. The Munsif sitting there encourages this sort of bribery and corruption—I do not suggest that he shares in this.

Then, as regards the process-servers, it may be said that when these educated young men were taken in as such, they were invariably used as *bazar-sarkars* of the Munsifs who used to give them 8 annas with a long list for making purchases in *bazars*, and these process-servers used to say that unless they had some extra income how could they purchase things worth two rupees with only eight annas given to them by the Munsif? That is a scandalous position continuing from year to year and we in this House have been crying over this for the last twelve years. I hope the Hon'ble Minister will take steps at least to remedy these evils.

**Rai Sahib ANUKUL CHANDRA DAS:** Mr. Deputy Speaker, Sir, I beg to move that the demand of Rs. 70,11,000 for expenditure under the head "27—Administration of Justice" be reduced by Rs. 100. This I do with a view to raising a discussion on the system of recruitment to the Bengal Civil Service (Judicial) from the candidates of the Scheduled Castes.

Sir, to an unstarred question of the 15th February last the Hon'ble Judical Minister gave the reply that with reference to the Bengal Judicial Service, there were 24 candidates from the Scheduled Castes of whom only ten were called for interview by the Public Service Commission. We were further informed that only four were recommended by the Public Service Commission up to that time. I beg to state that——

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** I may inform my friend that only two were recommended.

**Rai Sahib ANUKUL CHANDRA DAS:** Of the 24 candidates I do not know if every one of them is properly qualified; perhaps the Hon'ble Judicial Minister may know it. But so far as the ten selected candidates were concerned, they had the honour to get interviews recently from the Hon'ble Minister for which our thanks are due to him and they were all qualified men. I shall now tell you the qualifications of some of these men but I do not know whether those qualifications would be considered by the Hon'ble Minister as adequate for the requisite standard fixed for such candidates. I know of one candidate who, although he is a first class in B.L., was discarded probably because he had got himself elected to a local body on a Congress ticket. The claims of another candidate were rejected simply because he was a political suspect. I submit, Sir, political considerations should not stand in the way of a candidate aspiring for a Government post, and that Congress leanings should not be considered as a disqualification now that we have two Congressmen in the Cabinet. I hope, candidates should not be disqualified in this way only because of their holding any distinct political opinion if they are otherwise qualified.

Now, Sir, our chief obstacle to the various services, is due to the obnoxious Communal Ratio Rules that have been framed by the Government. The whole thing should be revised.

Sir, I refer to the Bengal Services Recruitment (Communal Ratio) Rules, 1940. The House will find how inequitable these rules are for the Scheduled Castes. I refer to rule 4 (*1*) which runs as follows: "Of all vacancies to be filled by direct recruitment in any service, department or office or branch of any service, department or office to which these rules apply, 50 per cent. shall, until parity is reached, be reserved for Muslims, and 50 per cent. for non-Muslims".

Again rule 7 (*1*) says: "Of all vacancies to be filled by direct recruitment in any service, department or office, or branch of any service, department or office to which these rules apply, 15 per cent. shall, if qualified candidates are available, be reserved for members of the Scheduled Castes".

Sir, it will be seen that the clause "if qualified candidates are available" is not to be found in rule 4 (*1*). So, it comes to this that this condition applies only to the Scheduled Castes. This is creating a havoc and the concession that was allowed by Government to the members of the Scheduled Castes has been taken away by this clause. For the sake of justice and fairness, this clause should be deleted at once.

Sir, I do not for a moment request the Government to appoint unqualified men, but why should this condition be applied only to the case of Scheduled Castes and not to the case of other non-Scheduled Castes. This is very unjust and this clause should be deleted at an early date.

Sir, I also draw the attention of the House to the proviso to rule 7 (*1*). It runs as follows: "Provided that the number of vacancies so reserved shall not exceed 30 per cent. of the total number of vacancies to be filled by direct recruitment of non-Muslims". By this, again, the number of appointments for the Scheduled Castes cannot go beyond 30 per cent. This is quite inequitable. Certain percentages of vacancies have been reserved for us simply because we are backward. Now, if our candidates are qualified, why should not they get more than 30 per cent. There is no reason for any reservation unless they are allowed to fill up all the vacancies if they are properly qualified.

Then, Sir, I beg, further, to point out that the proviso to rule 4 (1)——

(At this stage the member reached the time-limit and resumed his seat.)

**Dr. NALINAKSHA SANYAL:** Sir, I beg to move that the demand of Rs. 70,11,000 for expenditure under the head "27—Administration of Justice" be reduced by Rs. 100. The object of the motion is to raise a discussion about—

(*a*) separation of the judiciary from the executive;

(*b*) delay in disposal of cases by Magistrates and Deputy Magistrates generally, and in Calcutta and Alipore in particular; and

(*c*) abuse of justice by Magistrates.

Sir, I hardly need any long speech to convince the ex-Principal of the Calcutta University Law College and a champion of law that there is a necessity for separation of executive from judiciary in this province and in other parts of India. This is a cry that had gone forth for more than half a century now and I would not like to take the time of the House in adducing any further argument in support of it. I would only draw attention to one or two examples that have led me

to emphasise this point, examples which I had collected during my experience as an inmate of the jail a few months ago. I shall only submit that some of the Hon'ble Ministers should also take similar lessons either in the jail or outside, because I do feel that it is very necessary for members of the legislature to be in contact with jail life to enable them to understand many things taking place in the country which are covered up by the officials and which are not ordinarily known to those in power and those in authority. The jail is really a place of much training and with all sincerity and emphasis I submit that the members who want to serve the public properly should at least spend a few months in jail.

Sir, while I was in Berhampore jail I discovered that the Magistrates and the Police conspired to put people under detention on very many flimsy pleas which cannot be proved. I found one very old man named Dukal detained and I had reasons to feel that he was sincere in what he professed. He was detained by the police of Jangipur on a flimsy charge which could not be demonstrated or proved in court. The fellow once in his early days was clapped into prison for an alleged theft and whenever there is any theft in the locality within 12 or 15 miles this man is dragged from out of his home under some provisions of law—I am not a lawyer myself but there are various sections of preventive or other measures under which persons are taken away from their homes and placed under detention. On this particular occasion this man was actually lying ill for 21 days with a very bad type of pneumonia. The doctor certified to that effect and yet the man was dragged out when he was almost in his death-bed, because within 5 or 6 miles from his home there was a case of theft. He told the Magistrate that he was practically in his death-bed and when he was taken out of his home there was practically no earthly chance of his going out on any such mission of theft or burglary at all. It occurred to me then that there was the urgency of separation of judiciary from executive. When the executive feels that the police hands must be strengthened to maintain some kind of executive authority the judical mind of the Magistrate or the Subdivisional Officer is blurred because of a feeling of executive responsibility for maintaining some kind of what they think to be order and peace.

There was another instance, Sir, in which I found that a young boy, a very bright-looking Muslim boy of about 12 years 8 months, was convicted for rape and was given 6 months imprisonment. The boy, so far as I remember, belonged to the district of the Hon'ble Chief Minister. The boy was in the Berhampore Juvenile Jail and amongst the boys he was very naughty and extremely unmanageable and the Jail Superintendent had anxious time to put him under restraint I tried to find out why this feeling had developed from a talk with the

boy, and with some humane and kindly treatment I really got the boy to be very nice afterwards and he began to take to his studies and began to be very well-behaved later on. Sir, I found that this brilliant boy was clapped in prison at the instance of an uncle of his when he and one of his cousins—uncle's daughter—while playing in a garden did attempt to play some childish trick. This surely could be excused specially because the girl's age was 7 years and the boy's age was about 12 years and 8 months only, yet the Magistrate convicted the boy of rape and sent him to prison for several months. I had also other instances amongst these juvenile prisoners of such absurd character of punishment and I found that there were numerous cases of unduly heavy punishment inflicted for trivial offences. The Magistrates do not seem to have in such cases applied any judicial mind at all, and although there is a provision to get periodical reviews of these cases made by certain authorities, this review has been more or less a farce. Hardly any review is made, and the machinery of Government that has settled these reviews and the machinery that contemplates reviews being made periodically with a view to find out whether abuse is made or not—that machinery somehow does not properly function.

While I came over to Alipore Central Jail, I found that numerous cases of under-trial prisoners were hanging on for months together. I shall give one example which will open your eyes. There was one Anglo-Indian under-trial prisoner detained for nearly a month and a half for having just brushed against a person while riding on a bicycle. This man was asked by the Court to produce satisfactory surety and he said that there was no injury of any description that could maintain any criminal case and he failed to produce surety satisfactory to the Police. He merely knocked against a person on the streets at Kidderpore and as a result the police accosted him. His main fault was that he had exchanged strong words with the police. That was all his offence and, therefore, the police wanted to give him a teaching and the police took him to the thana and when the Magistrate wanted to give him a surety the police objected and as the police objected, the Magistrate thought that he was helpless. Therefore, the man had to be detained for about six weeks in the prison and afterwards he was given a punishment of fine of about Rs. 15 or so—no imprisonment. The man was prepared to pay the fine even on the first day in court and yet the police so managed things that he had to be detained in prison.

Sir, I know of another instance in which a student named Sukur Ahmed was arrested within the jurisdiction of Barrackpore. For eight long months he was kept as an under-trial prisoner and thereafter his conviction was only till the rising of the Court, because the Court found that there was no offence committed, and day after day when the case was brought before the Court, the police said: "My evidence is not ready. Remand him to custody". In this way, Sir, people are

harassed, money is spent, the jails are filled up, and the Magistrates do not do their duties properly.

If you go through the records of the Alipore Central Jail, you will find nearly 800 prisoners out of 2,000 are sometimes collected as under-trial prisoners and these under-trial prisoners are spread over from the Alipore Court and other Calcutta courts. The Magistrates do not dispose of the cases quickly and judiciously, and the police do not think twice before they pray to the Magistrates for further remand, and this remanding goes on and on for eternity without anybody taking responsibility. I had a talk with the Superintendent of the Jail about this and he said: "These people not only mean trouble to us but also increased expenditure to Government", and the Superintendent of Jail assured me that although he made a representation for quick disposal of cases, yet something or other stood in the way and the cases could not be disposed of. Government do not seem to take any action in the matter.

I found another instance in which a man who stole one *handi* of toddy was detained for 42 days. One *handi* of toddy cost him 42 days of under-trial detention, and thereafter he got a punishment of about Rs. 5 by way of fine. Numerous such cases can be cited. (Mr. CHARU CHANDRA ROY: Was he corrected?) Sir, my honourable friend Mr. Charu Chandra Roy has raised a very important sociological question whether the man was corrected. I am afraid that these actions of Government make them confirmed criminal when they had no intention of being criminal. Those who had honest intentions of serving the society become hardened criminals, because of the treatment that they continually get from Government and its officials, and I submit, Sir, that these abuses of justice, these failures of Magistrates and the police to have any humane outlook in the treatment of human beings lead to greater danger to the society than probably what the criminals themselves could create. I submit, therefore, that there should be some measure some machinery to investigate into these things. The worst of it is that when persons in jails—however well-meaning they may be—bring or seek to bring matters to the notice of Government, Government do not even treat those requests with the slightest consideration that they deserve. Letters addressed to the Chief Minister are held up by the department. The Inspector-General of Prisons himself—I will demonstrate it in the course of discussion of the Jails question—is not free from criminal intentions. Some of his officials are deliberately—I can prove it to the hilt—take Government money in their own pockets and for personal use, to which they are not entitled. On flimsy grounds they hold up petitions of prisoners and the whole administration seems to rest on the men, the humblest in the rank, namely, the warders, the police and the police watchers. I submit, Sir, that the Judicial Minister should see that justice is properly meted out.

**Mr. FAZLUR RAHMAN (Mymensingh):** Mr. Deputy Speaker, Sir, as you have kindly allowed me a short time to speak on the Administration of Justice, I like to make some observations only with regard to the policy of Government in appointments of Honorary Magistrates. This is a policy which should at once be discontinued. Honorary Magistrates are appointed not for the administration of justice but for patronising the "*johukums*". Generally, a person having sufficient money at his disposal to entertain high officials concerned, in every possible way and having no worth whatsoever, is appointed Honorary Magistrate. (Maulvi ABU HOSSAIN SARKAR: When did you know it?) All along. In appointment of Honorary Magistrates it is not considered whether the gentleman concerned is duly qualified or enjoys the confidence of the public in general. In most cases eyesores of society are appointed as Honorary Magistrates to administer justice. On the other hand we see there is the existing policy of Government to recruit officers of best possible qualification by competitive examination for the administration of justice. Is not the policy in appointments of Honorary Magistrates quite contrary to this principle? The policy of Government to constitute the judicial machinery by appointing, on the one hand, the best flowers of our universities by means of competitive examinations and selecting, on the other, a class of worthless people, under the high-sounding appellation of Honorary Magistrates, seems to me to be utterly nonsensical. This obnoxious practice came into vogue during the days of bureaucracy. Such a system is totally unsuitable to the present conditions, because now the Ministers are responsible to the people. Government have got no right to do anything which is prejudicial to the public interest. I like to inform this House how justice is going to be administered in my place. There is a criminal court at Sherpur which was formerly presided over by some Honorary Magistrates belonging to a single zamindar family of the locality.

One or two instances regarding the attitude of these Honorary Magistrates will be sufficient for this House to judge how oppressive these gentlemen were. They were in the habit of keeping witnesses under waist-deep water and sometimes drenching the witnesses under the flow of tubewells even in winter season and putting them in *hajat* till they were compelled to agree to depose in favour of any particular party in which these Honorary Magistrates were interested. Sir, you will be astonished to hear that these zemindar Honorary Magistrates were in the habit of addressing the lawyers as " তুমি " in open court, not to speak of other respectable members of the public. Owing to ill behaviour and owing to the misuse of their power for their private ends in all possible ways, agitation was started by both Hindus and Mussalmans as far back as the year 1927. But the then bureaucratic Government did not take any step against them. Series

of representations were also sent to the last Government which on proper enquiry removed almost all the zemindar Honorary Magistrates. By way of compromise only one gentleman of the name of Rai Bahadur S. M. Chaudhury, the most learned of that family, was allowed to continue to work. But unfortunately when the present Government has come into power, in utter defiance of the high agitation and series of representations, one of those Honorary Magistrates, Babu Harish Chandra Chowdhury, who was considered quite undesirable and removed by the last Government, has been re-instated only because he is a zemindar by birth Except this there can be no other reason of his re-appointment. Public for various reasons which I do not like to express here, have lost every confidence in him. By this re-appointment the feeling of the public specially the Mussalmans has been poisoned to such an extent that if within a short time this re-appointment be not cancelled, there is every likelihood of practical demonstration of communal disharmony. This is a place where communal ill-feeling did never exist in the past. As soon as this Government has come into power the poison has been carried there to disturb the communal harmony. My honourable friends coming from my subdivision may take notice of the fact that with eyes open nobody will be in a position to have confidence in them. Particularly I ask my friends Mr. Gyasuddin Ahmed and Mr Charu Chandra Roy coming from my district and supporting the present Government to rise and declare here and now their attitude and opinion as to the re-appointment of Babu Harischandra Chowdhury as Honorary Magistrate of Sherpur Court, and whether the Government is justified in reappointing this gentleman. If they cannot justify then we should like to know——

(At this stage, the red light was on )

Sir, may I have a minute more?

**Mr. DEPUTY SPEAKER**: Yes.

**Mr. FAZLUR RAHMAN**: —what steps they are going to take for the removal of this gentleman from office. As for the people I can say they did never expect such reappointment under the hands of the Hon'ble the Judicial Minister now in charge who is supposed to entertain respect for popular opinion. I appeal to him to reconsider the case as early as possible. People are awaiting the answer from him regarding this question. I believe the people will decide their line of action on receipt of his answer. If there be any doubt regarding my statement, I invite the Hon'ble Judicial Minister to have an immediate enquiry personally into the matter and I ask him not to depend upon the reports only.

**Mr. SASANKA SEKHAR SANYAL:** Mr. Deputy Speaker, Sir, I want to avail myself of this opportunity to say a few words upon the question that has been raised by Dr. Sanyal regarding the separation of the judiciary from the executive. I propose to speak as a humble lawyer. My friend Dr. Sanyal has said that he is not a lawyer. It is lucky that he is not. Otherwise, he would have exhausted all the points and there would have been nothing for us to speak upon.

Speaking as a humble lawyer, may I remind the Hon'ble Minister in charge of the Judicial Department that when he was called upon to assume office in this particular Department, high hopes were raised in Bengal particularly in the minds of the lawyers and the litigant public. Sir, the question of separation of judiciary from the executive is a pretty old one, but it is to be extremely regretted that none of the provincial Governments in India has yet been able to take up the matter in all seriousness and it is a pity that substantial progress in this line has not been achieved anywhere. (Dr. NALINAKSHA SANYAL: What about Sind?) It has been taken up in Sind. I hope that Sind will not be the only province that will make progress in this matter. It will be a matter for pride if this province also could take it up as Sind has done. Sir, the old slogan that the prosecutor and the judge should not be rolled into one is there and there is the old argument that a criminal Judge and a Magistrate who is also the executive head cannot hold the scales even between parties, particularly when the police is one of them. Sir, the original objections have now gathered strength by the addition of new objections. For example, to-day what is the position? Go to the court of a Subdivisional Magistrate and you will find that there are two parties before him. I do not want to pass any stricture upon the Government. I expect the Hon'ble Minister to take note of what I say. The Subdivisional Magistrate or, for the matter of that, the District Magistrate has two parties appearing before him who are not merely two parties to a case but are two potential war contributors The case is dragged on from day to day, not because the Magistrate has no time to take it up but because in the meantime the agents of the executive will go on running and trying to squeeze out a substantial war contribution from the parties. (Dr. NALINAKSHA SANYAL: Hear, hear.) Although we on this side have got our peculiar ideas about contributions to the war fund, we do not like to stand in the way of anybody making contributions to the war fund. What is to be regretted is that District Magistrates or their agents should extort money from people who have the ill luck to appear before them. Justice must be administered without passion or prejudice. Justice must be administered without any obligation. To-day even the best of Magistrates cannot divorce himself or cannot extricate himself from the war complex of the day. I shall give one example to my Minister.

It is well-known that under the Money-lenders Act, Sub-Registrars are appointed and do you know what is being done by them? They are issuing notices to parties who were originally money-lenders: "Since you are carrying on trade as money-lender without a licence, you must show cause why you should not be prosecuted". I tell you as a humble lawyer that a Sub-Registrar has no right to issue a notice like that, but he is not merely a Sub-Registrar; he is also a Subdivisional Officer vested with judicial powers He is exploiting his position in order to squeeze out money from the parties. As a matter of fact, I appeared before a court and I challenged the authority of the officer to issue such a notice If there be any person carrying on the trade of money-lending without a licence that is a matter or ought to be a matter for the civil court. On the matter coming before a civil court, it is for the civil court to decide whether it is a commerical loan or not. It is to the civil court that such a right has been given. As Sub-Registrar he is not vested with judicial powers, but as Subdivisional Officer he is vested with judicial powers. He wants to take advantage of his position and draw out war contributions from these poor fellows

**Dr. NALINAKSHA SANYAL:** The fact was brought to the notice of Government many times before but no action has been taken

**Mr. SASANKA SEKAR SANYAL:** I assure you that my Minister is aware of what is being done. It is well known that a party carrying on trade is usually taken into the Chamber of the Subdivisional Magistrate who says, "Well, nothing will be done if you do pay something to the war fund" This, I submit, Sir, is all nonsense Then again, notices are issued to persons for taking out licences but before they are given these licences they have got to pay some money as surcharge to the war fund. In the matter of Debt Conciliation Boards these Subdivisional Officers are vested with authority to hear appeals. To the Hon'ble Minister who is the Principal of the University Law College and practising lawyer and to my old teacher I would say that this power of hearing debt conciliation appeals must be forthwith taken away from the Subdivisional Officers and given to Munsifs. For these Subdivisional Officers, Sir, I have great respect, at least for some of them, but as regards civil matters they are doing injustice to those who expect them to do justice on these points. In the matter of hearing appeals in criminal cases I would ask my Minister to consider the question of investing the Assistant Sessions Judges with powers to hear appeals from conviction passed by the Boards. This is a very important question, Sir. Hitherto the District Magistrates have been hearing appeals. The District Magistrates while they are overburdened with all sorts of work cannot do justice to these cases: they can, as a matter of fact, hear an appeal for fifteen minutes only and then after three months deliver his judgment——

**Mr. ABDUR RAHMAN SIDDIQI:** On a point of order, Sir. The honourable member has been using an expression which I consider as wrong. He calls a certain Minister as "my Minister". This, Sir, is the privilege of His Majesty or a representative of His Majesty.

**Mr. SASANKA SEKHAR SANYAL:** I accept this point of order, Sir, and I stand corrected.

**Mr. ABDUR RAHMAN SIDDIQI:** Sir, his acceptance does not matter much. I would submit to you that no member can address a Minister as his Minister. I want your ruling that no member should call any Minister as "my Minister".

**Mr. DEPUTY SPEAKER:** He should not use that expression.

**Mr. DHIRENDRA NATH DATTA:** Cannot he address the Minister as "our Minister"?

**Mr. DEPUTY SPEAKER:** Yes, he can do that.

**Mr. SASANKA SEKHAR SANYAL:** Thank you, Sir. The point at issue is not whether our Ministers are their Ministers and their Ministers our Ministers. It is whether the Subdivisional Officers should have the power to hear appeals. The Assistant Sessions Judges and the Civil Court Munsifs have very little work to do nowadays By investing the Munsifs with power to hear debt settlement cases and the Assistant Sessions Judges with power to hear appeals real justice will be administered. And then the High Court as the head of the Judiciary in Bengal ought to be given a hand in the matter. To our Executive who are ordinarily fully concerned with all party politics and dirty politics of the district it is not safe to entrust these things and we can also remedy the delay in the matter by giving this work to the Judiciary. Then there is one other aspect of the whole question. You know, Sir, that on account of the vicarious propaganda and rural reconstruction work our Executive Officers' hands are full. Why then burden them with more work? They are human beings and they cannot do more than they are expected to do. They have to do outdoor work, they have to do rural reconstruction work, they have to settle communal disputes and have also to go out for allaying panic in the minds of the public if there be any. In this way their hands and heads are too much full. On the other hand Munsifs and Assistant Sessions Judges have less work to do and it would be a good adjustment and it would also ensure the solution of this vexed problem and would at the same time add to the efficiency of magisterial officers if they are relieved of judicial work and of meeting vexatious and engrossing arguments of lawyers. I hope our Minister will consider these matters from a

practical point of view and it will be a matter of pride for us if we find that our Minister has been able to separate the Executive from the Judiciary at least in this field which might be followed by Ministers in other provinces.

**Nawab MUSHARRUF HOSSAIN, Khan Bahadur:** Sir, I am glad that my friend, Mr. Dhirendra Nath Datta, has brought in a motion to point out the desired amendment of the Bengal Money-lenders' Act, 1940. Everybody is now aware that this Act has been practically set at naught by the decision of the High Court, and unless it is amended further, it will remain practically inoperative. I will give you just one instance as to how the Act is now dead. When we framed the definition of "suits" to which this Act applies, we divided it into three parts. The first part related to suits that are instituted after a certain date; the second part to all pending suits and the third part to suits when the decree is in the course of execution. These are the three stages at which we thought a suit could exist. The first point says that after a certain number of days a suit is to be instituted: the second point relates to the pending suit and a pending suit does not mean anything other than one in the middle stage, that is, one in which a decree has been passed but not paid off. That is the stage which is now not being understood by the Hon'ble the High Court. The Hon'ble the High Court should have read the rules and rulings of the Chancery Court which really will give them the idea as to what we meant by the words "pending suits". This was not known to the High Court and they cannot blame the framers of the Act. The framers of the Act knew what "pending suit" meant. I would, therefore, now ask my friend the Minister in charge to bring in an amending Bill explaining the meaning of the words "pending suit", and get the Act amended accordingly. I cannot understand what is meant by the Hon'ble the High Court when it says that a suit to which this Act applies means a suit instituted after a certain number of days and also a suit or a decree which is in the course of execution: but is there no middle stage between these two? A decree is passed and a certain time is given to the judgment-debtor to pay off the debt and the Court has to sit down tight and to record all the payments that are made during this time. This is the time when the suit is kept pending and this is the stage when the suit is understood to be a pending suit. If the High Court does not understand it it is their fault: it is not the fault of the framers of the Act. We are perfectly sure that they will understand it and deal with it exactly as we intended when framing the Act. Now, if they have not understood it, it is the duty of the Hon'ble Minister in charge to make it clear and to bring in a Bill just for the purpose of explaining the matter and nothing else. This is not a controversial affair which cannot be brought here. Lots of Bills have been introduced and passed

which are really objectionable. Then why can't Government bring in just a Bill to explain what they really meant by the words "pending suit". This is not very difficult for the Minister to bring and get passed, because the Congress Party wants it and the Opposition wants it; we also want it and everybody wants it. Why should it not then be passed?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** Mr. Deputy Speaker, Sir, I am very grateful to the House for the debate this morning which has been carried on in a dispassionate manner as a debate relating to the topic of administration of justice in this province should be carried on.

I shall first of all deal with the cut motion moved by my honourable friend Mr. Serajul Islam. He referred to the closing of the High Court during the *Jumma* prayers on Fridays. He referred to the rules which govern the courts subordinate to the High Court in this matter. I am myself fully cognisant of the Muslim feeling on this question and I do not take my stand this morning on section 223 of the Government of India Act. There was a debate in the other House, but according to strict parliamentary conventions I will not refer to the nature of the debate, and the proceedings of the discussion have been ordered to be forwarded to the Hon'ble the Chief Justice with the request that the matter might engage the attention of the Hon'ble High Court. That is the utmost that this Ministry can do.

May I refer the House to section 223 of the Government of India Act. It reads:

"Subject to the provisions of this Part of this Act, to the provisions of any Order in Council made under this or any other Act and to the provisions of any Act of the appropriate Legislature enacted by virtue of powers conferred on that Legislature by this Act, the jurisdiction of, and the law administered in, any existing High Court, and the respective powers of the judges thereof in relation to the administration of justice in the court, including any power to make rules of court and to regulate the sittings of the court and of members thereof sitting alone or in division courts, shall be the same as immediately before the commencement of Part III of this Act."

Notwithstanding this legal limitation we have also decided that the Hon'ble Chief Minister should interview the Hon'ble Chief Justice on this question. Sir, I will not refer you to section 37 of the Letters Patent of 1867 with regard to this question.

Next I come to the cut motion of my honourable friend Mr. Dhirendra Nath Datta. Mr. Datta made many constructive suggestions and has handed over to me a copy of the proposed draft of certain alterations in the Money-lenders Act, 1942. He agrees with the Government that during these times of stress and storm through

which we have been passing it may not be possible to bring forward controversial legislation. I am deeply grateful to him for the constructive suggestions he made and I shall give those suggestions my most earnest consideration.

Mr. Datta referred first of all to the question of an atmosphere of unreality. With that proposition of fact I hope every member of the House will agree. The danger has come so near; the time has come when we must harness all our efforts to the cause of resisting this great menace and this great danger to the tranquillity, peace and security of my country. Mr. Deputy Speaker, Sir, my honourable friend Mr. Datta is still wedded to the old system of recruitment of Munsifs after they had had training at the bar for a period of 3 years. Sir, I am old enough to agree with that proposition but the matter does not rest entirely with the Ministry. Under the Government of India Act again the rules for recruitment of the members of the Provincial Judicial Service had been framed by my predecessor in office in consultation with the Hon'ble High Court and under rule 7 of the Recruitment Rules of the Provincial Judicial Service both the aspects of the question have certainly received recognition, but not the question of the periodicity of the experience at the Bar

Sir, my honourable friend referred to another question, the question of the recruitment of District and Sessions Judges, that is to say, promotion from the rank of Subordinate Judges, and he also referred to the question of the extension of the jurisdiction of the Assistant Sessions Judges With reference to the first point it may be recalled usefully here that under the policy followed by our predecessor in office, a policy which has been continued by me, certain Munsifs in the province have been invested with magisterial powers so that when the day comes and on approved service these Munsifs with magisterial powers may probably find themselves more suitable for the discharge of their duties as Sessions Judges. That is of course a subject which necessarily must be of a limited experimental measure but that experiment may perhaps be extended.

My honourable friend then referred to the amendment of the Court Fees Act. The Court Fees Act is the greatest milch cow in this province. It is a milch cow which has its ambit and which has its orbit greater than the cow of ancient Egypt. The Court Fees Act was amended, not by this Government but by our predecessors in office, at least 40 times in the course of less than 40 years. But, Sir, if the recommendations of the Floud Commission with reference to the land revenue system of this province have to be accepted, I suppose the Court Fees Act once more may have to be amended.

Sir, my honourable friend referred to the question of the high pay of judicial officers and the low pay of ministerial officers. The judicial officers of the Bengal Civil Service have suffered retrenchment during

the last 20 years to an appreciable extent. My honourable friend knows that the maximum grade—selection grade—for the Subordinate Judges in this province used to be Rs. 1,250; that has now been cut down to Rs. 750. The salary of the Munsifs used to be in the past Rs. 275—350—50/2—700. The revised scale is much less liberal and now they start on Rs. 175; they go up to Rs. 250 and after having reached that stage they go up to Rs. 600 by a biennial increment of Rs. 50, with an efficiency bar at Rs. 400.

The Retrenchment Committee did consider this question and the position is that the sanctioned cadre has now been reduced and owing to the acceptance of the recommendations of the Retrenchment Committee there has been a saving to the extent of Rs. 3,72,650 and correspondingly there has been increased revenue to the extent of Rs. 29,000 and odd. Sir, I do not for one moment contend that retrenchment in public services is not possible, but there must be retrenchment consistent with efficiency and this is a point which should naturally be before the eyes of any Judicial Minister in this province.

My honourable friend Mr. Datta and my honourable friend Mr. P. Banerji—they both referred to the corruption in the public services. That is an abuse which is as old as the eternal hills in this unfortunate country, and the greatest and the deepest tragedy here is that according to the universal consensus of opinion this corruption is limited to those spheres where people expect nothing but integrity, nothing but rectitude, nothing but justice. One of the efficient administrators in this province has made a rough calculation, and according to his calculation roughly a sum of Rs. 30 lakhs enters the pockets of those gentlemen who rely upon supplementary income. Statistics is not always right and I do not know whether the figures collected by this official are right, but there is no doubt whatever that bribery is rampant, that corruption does exist in certain courts of law. But, Sir, what is the remedy? The remedy may sometimes be worse than the disease. The past Government of Bihar appointed a committee under the chairmanship of Mr. Syed Abdul Aziz; that committee could not function. But the remedy must necessarily be the awakening of public conscience, and public conscience in this matter must not merely be restricted to the conscience of the litigants, the conscience of members of the legal profession and the conscience of the Judges but the conscience of the people throughout the length and breadth of this province. If public conscience is aroused and the public make up their minds that they will not tolerate this bribery then this bribery and this corruption are bound to come to an end. We have no lack of circulars. The criminal law on the point is specific, definite and extensive, but neither the circulars nor the criminal law of the country can check this unfortunate tendency towards corruption and bribery. The whole thing depends upon the mentality of our people and their conscience must be aroused in this

matter. I can give this assurance that if any specific case of bribery and corruption is brought to my notice, then I shall certainly not adopt the language of one of my friends. I shall not suffer from myopia. It is true that we sometimes suffer from cataract, but in this matter the cataract will undergo a successful operation. (Cries of "Hear, hear" from the Coalition benches.)

Sir, the next question which has been raised by my honourable friend Mr. Datta is the question of recording evidence in Bengali and of recording judgments in Bengali. I cannot claim with him the experience of 30 years; mine is four years less. But I agree entirely with him that in some cases it is difficult for us who have not to their credit the English language as the language of their mothers to give explicit expression of thought in that language, and if the Stenographers Bill comes into existence a part of his claim may perhaps be satisfied. The question of delivering judgments in the Bengali language is a question which is of far-reaching implication. My honourable friend knows fully well that after the establishment of the Supreme Court in 1773 down to the time of Lord William Bentinck in 1829 Persian used to be the court language of the province and if you just search the archives of the Hon'ble High Court, you will find that British Judges delivered judgments in the Persian language for the long stretch of years between 1783 and 1829. I do not say that there is no possibility, but the possibility is one which must be viewed with equanimity by all those who are interested in the development of Bengali as our national language.

Mr. Deputy Speaker my honourable friend Mr. Datta drew my attention as my honourable friend Nawab Musharruff Hossain referred to certain aspects of the Bengal Money-lenders Act Sir, it is perfectly true that the Hon'ble High Court was called upon to interpret the Act, and in the judicial process of interpretation the Hon'ble High Court has come to certain conclusions. During my short period of office, I have succeeded in analysing the decisions of the Hon'ble High Court on this very important piece of legislation, and when they have been collated and collected I propose that Government should undertake legislation, so that the Money-lenders Act may properly function. I do not propose to relegate the Money-lenders Act to the limbo of oblivion.

The next point is the question raised by my honourable friend Rai Sahib Anukul Chandra Das. He referred to rule 7 of the Communal Ratio Rules with reference to the appointment of members of the scheduled caste communities to the Provincial Judicial Service. Rule 7 of the Communal Ratio Rules is to the following effect: "Fifteen per cent. of the total number of recruitments should be reserved for members of the scheduled castes, provided qualified candidates are available." (Dr. NALINAKSHA SANYAL: ওঁকে অনারারী ম্যাজিষ্ট্রেট করে দিন।)

(Laughter.) The proviso imposes a limitation on the acceptance of the principle that because a member is a member of the scheduled castes community, therefore he should have reservation. My honourable friend Mr. Barma sitting to my right has this point of view ever in his mind and he is having a discussion with his colleagues as to how far and to what extent the legitimate rights of the scheduled caste communities with reference to this matter might receive recognition by Government. My honourable friend referred me to the recruitment of members of the Judicial Service this year. This year the Government will make 38 appointments. Under the Communal Ratio Rules, the scheduled caste community, with the restriction imposed by the Communal Ratio Rules, is entitled to 5:7 appointments. Unless a man is vivisected, it is either five or six. That is a matter which has been engaging my attention.

(At this stage the Hon'ble Minister reached his time-limit but was allowed to continue for five minutes more.)

Sir, it is perfectly true that I took courage in both hands for the purpose of interviewing the ten candidates who were also interviewed by the Public Service Commission. My honourable friend does not, I presume, expect me to disclose the results of my interview, especially because the Public Service Commission is a statutory body having statutory obligations and is supposed to be above and beyond the domain of party politics.

I shall now come to a very important question which has been raised by my honourable friend, Dr. Nalinaksha Sanyal, and Mr. Sansanka Sekhar Sanyal. Sir, when the two cousins meet we have a confluence of the Ganges and the Jumna at Prayag. On this question they have met and they have met because the question is as eternal as the two rivers. The question has been raised in the press and on the platform for more than 75 years. The Criminal Procedure Code of 1872 effected this union between the executive and the judiciary. Probably up to that date, the union was not so complete and since 1872 the public has raised the cry of separation between the judiciary and the executive. This is a matter which is bound to engage my attention. Whether that attention will produce immediate consequence in abnormal times is a question which I leave to my honourable friends to judge, but every effort will be made by me so that it receives immediate consideration from the present Government. I know, Sir, that the recommendations of the Greaves Committee have not been given effect to, but that is no reason why we should be sitting absolutely tight.

With regard to the points raised by my honourable friend, Dr. Nalinaksha Sanyal, about the abuses as he calls them inside the jails, the question will naturally receive the attention of the Hon'ble Minister in charge of Jails.

**Dr. NALINAKSHA SANYAL:** I referred to the abuses in the court which led to the congestion in jails and not abuses in jails.

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** Very well, that matter I shall consider.

I have just one other observation to make. My honourable friend Mr. Abdur Rahman Siddiqi has made one solid contribution to this morning's debate. He raised one point of order. On that you have already given your ruling. Although that ruling is not liable to be challenged, I may tell you one story about this matter. You may have recollection about a fellow member of our Bar, Mr. Kabiruddin Ahmed. The learned Judges of the High Court are always addressed as "My Lord". My learned friend in that sphere of law used to address the Division Bench of two Judges as "Our Lords". "Our Lord, thou art in Heaven" is a convenient religious expression and you are perfectly right with reference to the ruling which you have given this morning.

I do hope, Sir, that my honourable friends will not press their motions to a division

**Mr. FAZLUR RAHMAN (Mymensingh):** The Hon'ble Minister has not replied to my point about the Honorary Magistrates.

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** The Honorary Magistrates create very great troubles. The system of appointment of Honorary Magistrates was introduced by the then Lieutenant-Governor, Sir Richard Campbell, in 1891, in order to encourage private enterprise in the matter of administration of justice. Just as the system of trial by jury is the best system which the ingenuity of man has been able to devise, the system of administration of justice by Honorary Magistrates is a system which may not possibly meet with universal approbation but it is a system which has come to stay. With reference to the question of the appointment of certain gentlemen as Honorary Magistrates, I know there may be room for criticism. In this matter, Sir, the Government is guided mainly by the recommendations of District Magistrates and Divisional Commissioners. I do not know anything about the appointment of Honorary Magistrates in that part of Mymensingh to which my honourable friend has referred. But I can assure him that as Judicial Minister I did not upset the recommendations of the District Magistrate and the Divisional Commissioner. If he has any grievance I shall certainly be prepared to look into the matter. But in the meantime I would advise my friend to go to the District officials and represent his point of view.

The motion of Mr. Serajul Islam that the demand of Rs. 70,11,000 under the head "27—Administration of Justice" be reduced by Rs. 100 was then put and lost.

The motion of Mr. Dhirendra Nath Datta that the demand of Rs. 70,11,000 under the head "27—Administration of Justice" be reduced by Rs. 100 was then put and lost.

The motion of Mr. P. Banerji that the demand of Rs. 70,11,000 under the head "27—Administration of Justice" be reduced by Rs. 100 was then put and lost.

The motion of Rai Sahib Anukul Chandra Das that the demand of Rs. 70,11,000 under the head "27—Administration of Justice" be reduced by Rs. 100 was then put and lost.

The motion of Dr. Nalinaksha Sanyal that the demand of Rs. 70,11,000 under the head "27—Administration of Justice" be reduced by Rs. 100 was then put and lost.

The main motion of the Hon'ble Mr. Pramatha Nath Banerjee that a sum of Rs. 70,11,000 be granted for expenditure under the head "27—Administration of Justice" was then put and agreed to.

## 37—Education—General.

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 1,71,00,000 be granted for expenditure under the head "37—Education—General".

**Maulvi MUHAMMAD ISRAIL:** Mr. Deputy Speaker, Sir, I beg to move that the demand of Rs. 1,71,00,000 under the head "37—Education—General" be reduced by Rs. 100. The object of the motion is to raise a discussion on the question of introduction and imparting of religious instruction in primary schools.

I further beg to move that the demand be reduced by Rs. 100. The object is to raise a discussion about the apathy of Government in making primary education free and compulsory.

I beg to move that the demand be reduced by Rs. 100. The object is to raise a discussion about the administration of the Calcutta University.

The Government of Bengal had been paying an annual block grant of Rs. 4,85,000 to the University of Calcutta for the last five years pending any final settlement that may be arrived at between the Government and the University on this point. A further amount of Rs. 12,000 annually is also now paid to the University for the upkeep of the Department of Islamic History and Culture recently introduced. The Hon'ble Finance Minister, the man behind the University, has

hinted in his budget speech that the new financial settlement between the Government and the University may shortly take place. So, I think that it is meet and proper that the public should be apprised of the administration of the University before the financial settlement with the University is made on a permanent basis.

The University of Calcutta is composed of the Chancellor, the Senate and the Syndicate for its administrative purposes. In the Senate, as it is constituted now, there are 117 honorary, ex-officio and Ordinary Fellows and the Chancellor. There is one remarkable feature in this, that there is not a single Muslim in that august body who has been returned thereto on election. Probably that is due to the nationalistic feelings of the progressive and forward ideas of our Hindu patriots. This is the baneful result of joint electorate for which so much is heard both from the nationalist press and platform, particularly from our so-called nationalist Muslims. In contrast thereto we find that the election to the Senate has been so managed that the Hon'ble Revenue Minister, the Hon'ble Finance Minister, his brother, the Junior Government Pleader, High Court, and all their associates including two officials of the University besides teachers have been elected as Fellows. There are only 26 Muslim Fellows out of 117. This representation is too meagre for the great Muslim community. Here the question may be raised that there are not sufficient number of educated Muslims to occupy these exalted positions and also that restrictions have been imposed by the Act and Rules to take in more Muslims For the information of the members of this House I will refer them to section 6 of the University Act of 1904 wherein in sub-clause (4) it has been laid down that "Election of Ordinary Fellows by the Faculties and nomination of such Fellows by the Chancellor under this section shall be made in such manner as to secure that not less than two-fifths of the Fellows so elected and so nominated respectively, shall be persons following the profession of Education."

So far as election by registered graduates there is absolutely no restriction, academic or otherwise. I can boldly assert that there is no dearth of qualified and suitable persons in our community at present for these positions but they are being unfairly shut out.

In the Syndicate wherein the executive government of the University is vested, the same story is repeated. The Hon'ble Finance Minister and the Revenue Minister with their whole associates are also present here. There were three Muslims, now two, who are the camp-followers of the famous trio and one of them is not at all conversant with the feelings of the Muslims of this province.

I hope in the next annual election Muslim representation in the Syndicate will be considerably increased. Now I come to one of the most important aspects of the University administration. Even on

a cursory view of the administration of the University we find that all the powers of the University have been centralised in the hand of the Hon'ble Dr. Syamaprasad Mookerjee, the Hon'ble Mr. P. N. Banerjee, Mr. Ramaprasad Mookerjee, Junior Government Pleader—the famous trio and their camp-followers. We find that in all important committees, faculties, departments, and boards these trio with their associates are invariably present.

The Hon'ble Dr. Syamaprasad Mookerjee is—

(1) the Dean of Faculty of Arts since 1934;

(2) the President of the Council of Post-Graduate Teaching in Arts;

(3) President of the Teachers' Executive Committee in Arts;

(4) President of the Free-studentship and Stipend Award Committee;

(5) President of the Research Fellowship and Research Scholarship Committee;

(6) President of the Under-graduate Committee;

(7) President of the Committee regarding Training for Public Services Examination;

(8) President of the Committee regarding Paribhasa;

(9) President of the Bengali Publication Committee;

(10) President of the Ashutosh Museum of Indian Arts;

(11) President of Teachers' Training Department Committee;

(12) President of the Post-graduate Finance Committee;

(13) Chairman of the Arbitration Board;

(14) Chairman of the Appointment and Information Board;

(15) Chairman of the Board of Editors, Calcutta Review;

(16) President of the Board of Studies of English and Teaching.

The Hon'ble Mr. P. N. Banerjee is also President of the Board of Studies of History, Economics and Political Philosophy and Geography and a member in all these bodies. This clearly shows that Dr. Mookerjee has by manipulation and manoeuvre secured all the powers of the University in his own hand. He did not think anybody else fit and competent for the presidentship and chairmanship of the 18 important bodies of the University. Really he could not trust anybody else with these powers, be he a Hindu or a Muslim or a Christian or a Buddhist.

The University clearly is a family affair of the Hon'ble the Finance Minister, so unless that outlook is changed it cannot expect anything from the Public Exchequer.

There is another very important point to which I beg to draw the attention of the members of the House and through them of the general public. When the Secondary Education Bill was published, discussed in the Select Committee, in the Special Committee and in the House, chorus of condemnation came in from all directions from the Hindu Press, platform and all public bodies dominated and controlled by the caste Hindus—that one of the most reprehensible characters of the Bill was that it was too much officialised, that it gave a good-bye to the democratic principles. May I now in all humility ask the Hon'ble Finance Minister and the Hon'ble Revenue Minister who are occupying all the key positions of the University, whether they have resigned any one of these posts since their assumption of office as Ministers of the Crown in December, 1941? May I enquire if their continuance in these important positions of the University in any way tell upon the freedom and self-government of the University? When these Hon'ble Ministers continue in important capacities in the University, not a word of protest is heard from the Hindu Press or from the Hindu platform or from the Hindu public bodies because their continuance is to their benefit.

Sir, the honourable the Leader of the Opposition drew attention of the Government to this aspect of the question during general discussion of the Budget but there was no response. I hope the Hon'ble Ministers will lose no time in severing their connection with the University administration. I want to draw the attention of the House to another thing. From the reply of a question of mine in the July session of 1941 I learnt that the papers of the Matriculation candidates are sent to the examiners with their names on, unlike the rule followed in the other examinations of the University, and I asked whether the University considered the desirability of discontinuing this practice in future but I was told that the Syndicate could not see its way to the acceptance of this suggestion. The papers of an examinee must be examined on purely merit and efficiency and no other extraneous forces should be allowed to work. But in this unfortunate land of ours as soon as there appear on the paper the names of the examinees, considerations, communal, social and pecuniary, begin to have full play. When the University authority is always for merit and efficiency I cannot understand why they do not introduce the system of only sending roll numbers of Matriculation candidates to the examiners. That the Muslim examinees suffer by this system have been made amply clear to me by the results of the many High Schools of my subdivision in 1941. Most of the Muslim boys who secured higher places than the Hindu boys of the same institution in the Test have got plucked while the Hindu boys have passed. So I hope this pernicious system should be discontinued without any further loss of time.

Hon'ble Dr. Syamaprasad Mookerjee was the bitterest critic of the Government policy of appointing non-Bengali Muslims to any

posts of the Government reserved for Muslims but he forgot in his wisdom the policy of the University in this respect. The Government of Bengal only took a leaf out of the University in this matter. Dr. Mookerjee encouraged this policy in the University because that was the best way of securing his camp-followers from the Muslim community. In the Board of Arbitration out of 11 members besides the Assistant Director of Public Instruction, Muhammadan Education, there is no Muslim member and I hope some representative to look after the claims of the Muslim teachers whose number is considerable now, should find a place there, in future.

The Hindu Press and platform and the so-called Muslim nationalists always clamour that separate electorate thrust upon us by the Communal Award was responsible for all communal jealousies and bickerings and communal organisations are the result thereof.

But Dr. Syamaprasad Mookerjee's conduct has given a direct lie to these assertions. He was returned to the Assembly on a joint electorate ticket, his voters being Hindus, Muslims, Christians, Buddhists, Parsis and Jews. But on return to the Assembly he became a rank communalist, champion of Hindu rights and privileges, and a sworn enemy of the Muslim. He did not care a fig for the feeling of his voters of other communities, particularly the Muslims. He became the leader of the most communally-minded Hindus. So it has been proved beyond doubt that joint electorate is no guarantee for communal harmony.

We find that in the newly started Department of Islamic History and Culture five of the teachers have been lent from the Arabic and Persian Department. One Sir Azizul Huq and another Hon'ble the Revenue Minister, both of whom have long now, I think, resigned their jobs, were there The teachers of Arabic and Persian are not necessarily expected to be experts in Islamic History, so their services are of no use whatsoever. What strikes me is that no specific whole-time appointment for this Department appears to have been made but money for the purpose has been asked from the Government who should look to it before money is paid for the purpose.

From a question of mine in 1937 it appeared that out of 180 clerical and other allied posts of the University only two were Muslims. I think that the time has come to give a new outlook in this respect. I hope it will not be pretended that suitable candidates from the Muslim community for these posts are not available. For want of any control of the University over the private schools, funds of the schools are never audited and the funds many a time go to swell the pockets of the individuals to the detriment of the staff and the school. So strict measures should be taken for the audit of the private schools by incorporated or chartered accountants.

The Matriculation syllabus under the new Regulation of the University is too heavy for those for whom it is intended and it has been voiced many a time by the All-Bengal Teachers' Association. The present system of selecting examiners through the Fellows who are on Faculties of Arts and Science and Heads of Colleges affiliated to the University is unsatisfactory and prejudicial to the Muslim interests as most of the Heads of the Colleges are non-Muslim and the few Muslim Fellows who are on the Faculties are mainly non-Bengali Muslims at whose hands Bengali educationists expect no justice. I appeal to the Chancellor for removing all these grievances, in particular the grievances of the Muslims and see that the University no longer function as a family affair of the Hon'ble Dr. S. P. Mookerjee.

Sir, so far as primary education is concerned, I beg to submit that the report of the Primary Education Committee submitted in 1939 clearly lays down in page 26 that the provision of the Bengal Rural Primary Education Act, 1930, should be immediately applied to every district. This includes levying of the cess. But I am sorry to say that this recommendation of the Primary Education Committee has been given the go-by and Government have not taken any steps to introduce free education at least in more than half a dozen districts. The Primary Education Act of 1919 should be amended so as to ensure provision of adequate facilities in all municipalities. That has also not been done. No indication has been given to that effect. There is another recommendation in the provision of the Rural Primary Education Act that a central body should be set up to co-ordinate the activities of primary education of all the districts. The Primary Education Committee recommended at page 26 that a Central Advisory Board should be set up and the necessary action taken to make this Board representative of municipalities as well as rural areas. This recommendation was made in the year 1939, but up till now no steps have been taken and the present Government has not given any indication that a Central Advisory Board will be set up in the near future. (Dr. NALINAKSHA SANYAL: Why an Advisory Board?) Because the Act provides for an Advisory Board. (Dr. NALINAKSHA SANYAL: The Bengal Government contemplates something better.) If Government contemplates something better, I will certainly welcome it.

Sir, there is another recommendation—recommendation No. 5—in which the Committee says that compulsion should be introduced as soon as possible as laid down in the Act of 1930 with the exception that compulsion should not apply to girls where lady teachers are not provided. This is one of the most important recommendations and Government up till now have not taken any steps to implement this item of recommendation.

Sir, in the district of Mymensingh where primary education has been introduced for more than 8 years, Government have not taken any steps to make primary education compulsory even in a single union of

*the district. There are three districts of Bengal, namely, Comilla,* Dacca and Mymensingh, where cess has been imposed and the scheme has been introduced. But even in Mymensingh where it has been in force for more than 8 years, no attempt has been made by Government even to experiment compulsory education——

(At this stage the member having reached the time-limit resumed his seat.)

**Mr. DHIRENDRA NATH DATTA:** Sir, I beg to move that the demand for Rs. 1,71,00,000 for expenditure under the head "37—Education—General" be reduced by Rs. 100. The object of my motion is to raise a discussion about—

(1) the inadequacy of the demand to implement the scheme of development of primary education;

(2) the constitution of the District School Boards and its working;

(3) the inadequacy of the demand on the head "Education of girls in the villages";

(4) inadequacy of the demand on the head "Advancement of the education of members of Scheduled Caste" and about the utilisation of money granted; and

(5) the failure of the Government in preparing a well-thought-out scheme in utilising the amount granted to the Scheduled Caste Education Fund.

Mr. Chairman, Sir, I want to draw the pointed attention of the House to two matters by this cut motion, namely, implementing the scheme of development of primary education as well as the Scheduled Caste Education Fund. These are matters over which I feel very strongly. This year a sum of Rs. 50 lakhs has been allotted for implementing the scheme of development of primary education. The House may refer to the answer given to my question No. 83 regarding primary schools under Tippera District School Board. This is a typical example. There they will find that in the district of Tippera only 1,472 schools have been started. They will remember that it has been said that 164,344 boys and 22,822 girls read in these schools. In all, 187,166 students read in these schools. The House will be pleased to remember that in the district of Tippera there are about 40 lakhs of people and for these 40 lakhs of people only 1,472 schools have been started and only 187,166 students read in these schools. So, they can consider the inadequacy of the number of schools that have been started.

Sir, in answer to a question put by me in 1939-40 the Hon'ble Education Minister was pleased to state that there were more than 4,000 schools in the district of Tippera when School Boards were not established in this district. Now, we have got 1,400 schools. So, the number has decreased instead of increasing.

Now, the amount for meeting the recurring expenses of the schools in the district of Tippera is Rs. 7,04,832 and the income from the education cess comes up to Rs. 3 lakhs only. So, there is a deficit in this particular district alone of Rs. 4,04,832. We have got 26 districts in the Province of Bengal and if there is a deficit of 4,04,832 in one district, we require crores of rupees to implement the scheme of primary education, having regard to the number of schools established at present. The number of schools must be increased and the recurring expenditure automatically must increase. So, the sum of Rs. 50 lakhs is absolutely inadequate to meet the needs of the schools that have been established as well as to meet the needs and the interests of the larger number of schools that should be established in the Province of Bengal These are matters which must engage the attention of the Hon'ble Minister.

Then, Sir, we come to the constitution of District School Boards and its working. District School Boards are constituted under section 6 of the Primary Education Act of 1930 Under that section, the District Magistrate is the ex-officio Chairman of the District School Board and the Subdivisional Magistrates are ex-officio members of such Boards. Sir, you are very well aware of the fact that District Magistrates are over-worked officers. They do not pay any attention to the work of District School Boards and things simply pass in their names. As regards other members, we find that under clause (8) of section 6 of the Primary Education Act, a number of members equal to the number of subdivisions in the district have to be appointed by the Provincial Government. When the Primary Education Act, 1930, was passed, it was said by Government that this appointment was necessary to represent the minority community and to represent the special interests of persons who will not be elected under the Act itself. So far as Tippera district is concerned, most of the members belong to one community. When the appointment was made, persons belonging to one community and belonging to one political group were appointed with the result that the minority community in the district of Tippera has not been represented properly. I beg to draw the attention of the Hon'ble Minister to this fact pointedly that the minority community of the district of Tippera has not been properly represented. I am quite sure that in these matters political consideration should not weigh with the Hon'ble Minister in charge of Education. This is the case, I am told by my friend Mr. Radha Nath Das, throughout the province. Only political consideration of a particular group

should not be the guiding factor of these appointments. Consideration of education, consideration of efficiency, consideration of the minority communities, these are the considerations which should weigh with the Hon'ble Minister and I think in appointing the members of the district school boards these considerations should weigh with the Hon'ble Minister in charge of Education.

Then, Sir, if we look to the working of the District School Boards it is a well-known fact, I am pained to say in the presence of the white people in this House, that there is corruption in the working of the school boards. Everywhere there are corruption and bribery and for that the Hon'ble Ministers cannot be blamed; we are really on trial. Everywhere there are corruption and bribery. We find corruption in the debt settlement boards, we find corruption in the union boards, we find corruption in the district boards, we find corruption in the school boards, local boards, in the offices and everywhere, here and there. These things are painful no doubt, but if the Hon'ble Minister pays greater attention in the appointment of the members of the District School Boards, he will be able to remove this corruption to a certain extent. If there be one honest person in the District School Board who is serious in his work, the corruption can be removed to a great extent, but it is really a matter of regret that a seriously honest person is not available. But I am quite sure if the Hon'ble Minister takes greater care in this matter this corruption can be removed. I am told by my friend Mr. Shahedali that he will speak in details with regard to the corruptions that have been going on in the district of Tippera. I do not like to dilate any further on this matter.

Before I go into other matters I must tell the House that if we look to section 34 of the Act we find that the Primary Education Fund money must be devoted to the payment of expenses incurred by the Board on account of construction, equipment and maintenance of primary schools. But so long it has been the practice that the cost of construction and equipment of primary schools had been maintained by the people of the locality. The result is that in those areas where the poor people inhabit, where the need of the primary schools is the greatest, primary schools have not been located. What I mean to say is that primary schools should be located in those areas which are inhabited by the poor people, but hitherto the practice is that the cost of construction of the building is to be met by the people of the locality. The poor people cannot bear the cost of construction with the result that in those areas where they live there are no primary schools.

I beg to draw the attention of the Hon'ble Minister to one other fact, namely, it is necessary that these primary school houses should be tin-houses. The Hon'ble Minister is aware of the fact that at present the price of tin has gone up very considerably. If it is demanded that these houses should be made of tin, I am quite sure there

cannot be any construction of these houses at the present moment. I submit that the rule should be changed. It may be considered if a bamboo or a thatched house will serve the purpose. It is impossible to have tin-houses now because the people of the locality will have to pay the cost of construction, and the Hon'ble Minister is aware that under the Defence of India Rules the sale of tin to private persons has been prohibited.

Then, Sir, I go to the next important matter, namely, advancement of education to the members of the scheduled castes. I beg to draw the attention of the Hon'ble Minister to page 132 of the Red Book in connection with Scheduled Caste Education Fund. The Hon'ble Minister will find that in the year 1938-39 a sum of Rs. 5 lakhs was provided for Scheduled Caste Education Fund. We understood that this would be a recurring grant. To me, Sir, the sum of Rs. 5 lakhs for Scheduled Caste Education Fund is a very small amount. We know that in this province at least more than 1 crore and 20 lakhs people are scheduled castes and for this number a sum of Rs. 5 lakhs is a very small amount. Having regard to the fact that the members of the Scheduled Castes have been unfortunately neglected in the past and having regard to the fact that they are extremely poor and live in a degraded condition, any Government which calls itself a Government should take care of the education of this class and raise them from the depth of degradation. If any Government does not take care of the education of the members of the Scheduled Castes, that Government forfeits itself to be called a Government. In the year 1938-39 a sum of Rs. 5 lakhs was granted, but if we refer to the Red Book at page 132 we find that only Rs. 22,000 has been spent. I draw the attention of the Hon'ble Minister to this fact that out of a sum of Rs. 5 lakhs which to me is a very small amount only Rs. 22,000 has been spent in the year 1938-39. Then, Sir, in the year 1939-40 a sum of Rs. 19,000 has been spent; the whole amount was not spent. In the year 1940-41, Rs. 1,70,000 has been spent. That means that the sum of Rs. 5 lakhs could not be spent in the course of three years for education of a class which is in the depth of degradation. Then, Sir, in 1941-42 a sum of Rs. 1,50,000 was provided in the budget. My submission before the Hon'ble Minister through you, Sir, is that there should be a recurring grant of Rs. 5 lakhs for education of the Scheduled Castes. In the year 1942-43 a sum of Rs. 1,50,000 has been provided. We find that in five years a sum of Rs. 8 lakhs has been provided and Government propose to spend only Rs. 7,72,442. They could not spend Rs. 5 lakhs in the course of 5 years. It is scandalous. It is ridiculous. Then, Sir, let us look at the working of the Department. When we look at the way in which the amounts are spent, we find that they are spent for grants for the construction of hostels at Calcutta, Barisal and Comilla. Sir, we do not require hostels. Why I say so is this. There should not be a separate hostel

for Scheduled Caste Hindus. The Scheduled Caste Hindus must be allowed to live in the Hindu Hostels. If there are any Hindus who object to that, they should be driven out. There should not be a separate hostel for the Scheduled Caste Hindus. What is necessary is more money for stipends, more money for scholarships, etc. The whole amount of Rs. 5 lakhs every year should be spent for those purposes. I shall go further and say that Rs. 10 lakhs should be set apart for the education of the Scheduled Caste Hindus every year. When I picture before me, the condition of the Scheduled Caste Hindus, specially the Muchis in the district of Tippera,——

**Mr. DEPUTY SPEAKER:** Your time is over.

**Mr. DHIRENDRA NATH DATTA:** Sir, let me finish the sentence. I cannot describe the lamentable condition of those persons. Special care must be taken of them and technical education must be given to those people. If you do not, you forfeit your claim to represent them.

**Mr. FAZLUR RAHMAN (Dacca):** Mr. Deputy Speaker, Sir, I beg to move that the demand of Rs. 1,71,00,000, under the head "37—Education—General" be reduced by Rs. 100. The object of the motion is to raise a discussion about the failure of Government to take steps for the proper control and development of Secondary Education in the province.

The Calcutta University Commission, speaking on the need for reform in Secondary Education of the Province observed:

"The remedy will be found in a thorough-going reform of secondary and higher education in Bengal. Our evidence shows that this is the most urgent need. The schools should have a wider curriculum, a larger proportion of trained teachers and improved equipment Many parents who are making bitter sacrifices in order to give a high school education to their sons get a very poor return for their self-denial. The schools specialise in preparing boys for the University Matriculation. It is easy to excuse them when we remember what public opinion insists upon their doing, and how careful most of them have to be in keeping public opinion their friend. But the college authorities find no reason to be satisfied with the average result. On the contrary they say that the intake from the schools is of such poor quality that little can be made of it without a long preliminary drill. It is not that the material is bad but that it has been mishandled in the schools. This in itself would be serious enough, but the mischief does not stop here. The high school training which fails to fit most of the boys for the University, fails also in fitting them for anything else. Preoccupied with the matriculation, the schools neglect the rest of their business. The teachers who are giving their lives to high school work have a strong claim upon public consideration and

support. A comprehensive reform of secondary education would make their work more fruitful, would bring to their assistance competent and well-trained colleagues, would strengthen the University and would add to the vigour and practical capacity available for every kind of public and private life in Bengal.

A better secondary education would give to the workshops and factories of the future the responsible leaders which they will require. Not only industry and commerce but the professions would be better served by schools which had a broader outlook and gave a more varied preparation for life. We believe that the evil effects of the present system are corroding the intelligence of young Bengal and that they will work increasing and irreparable mischief unless their causes are removed."

These views of the Commission hold good as much to-day as they did in 1920.

Now, Sir, I shall place before the House how Secondary Education stands in relation to the Muslim Education. In the year 1939-40, of the total number of boys in the primary stage 55·3 were Muslims but in the middle stage only 28·7 and in the high school stage only 24·8 were Muslims.

When one finds so many Muslim boys going to primary schools and so few of them continuing their studies in higher standards it suggests the conclusion that the early liking for study which certainly exists in Muslim boys is quenched by their having to study in the somewhat alien atmosphere of a school which is practically Hindu.

The defects of the present system of education as affecting the Muslims have been very greatly aggravated on account of the nature and character of the present day text-books

I shall refer here to the views of the Hon'ble Sir Azizul Haque, Vice-Chancellor of the Calcutta University. In a note appended to the Report of the Kamal Yar Jung Education Committee he says:

"*Bengali Language*

Anyone who will study Bengali literature prior to 1860—and Bengal comprises the largest Muslim population in India - will be surprised to see the extent of Arabic, Persian and Urdu words and phrases that were current in the Bengali language. With the beginning of the new reaction Bengali of the fifties and sixties of the last century contained such stiff Sanskritised words and phrases that it is doubtful if any average Bengali, unless he is a good Sanskrit scholar, can even understand them. No doubt the language has thereafter been liquified to some extent in process of time. But it still contains many hard Sanskrit words specially in some of the school and college text-books.

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*What a Muslim reads in Literature.*

It is with this inherent disadvantage that the Mussalman student has to join the present system of education. But he has also to contend against the syllabuses, schemes of study and text-books. He reads literature and he becomes conversant with Dev, Devi, Avatar, Namaskar, Puja, the conception of life, birth and rebirth, the pantheon with all the doctrines of Veda and Vedanta, Purans and Gita. He knows about Ram, Sita, Lakshman, Judhisthir, Arjun, Krishna, Buddha, Valmiki, Kalidas and Sankaracharjya with their life stories and teachings. He hardly comes across the conception of Allah, Rasul, or the meaning and import of Namaz, Haj, Zakat, or the principles and doctrines of Islam in Quoran or Hadis. He hardly has any opportunity to know anything about his Prophet, the Caliphs, the saints, the scholars, the philosophers, the poets or the heroes of Islam. If he reads the Holy Prophet, he does so not in the nomenclature of a Rasul, but in its equivalent in a regional language which never connotes all what Resalat means.

*What he reads in History.*

He reads history and he reads ancient India as a study of cultures in a picture of its inspirations and ideals. Within even the shortest compass he knows the Indus civilization, the Rig-Vedic age and the evolution of ancient Indian civilisation, the days of the Maghadan imperialism and Maurya empire, the stories of the Ramayan and the Mahabharat and the history of Asoka, Kaniska and Harsha. He studies ancient society and social organisation, political organisation and its transformation, art and architecture, literature and science, administration and economic principles, education and philosophy of ancient India, the cardinal cults of Brahmanism, Jainism, Buddhism, Vaishnavism, Joga, Bhakti, Nirvana and Moksha.

*Picture of Muslim India.*

Coming to the mediaeval period he immediately falls into a narration of wars and conquests, slaughter and carnage, destruction and demolition of India's past, amidst patricidal and fratricidal struggles and disputes. Let me place here a summary of this mediaeval perspective from a book prescribed for the Matriculation Examination—I know that it has been prescribed by the Calcutta University. It is almost taken word for word except that verb, mood, tense and voice has been changed here and there.

The teaching of Muhammad centred round the dictum—there is no god but God and Muhammad is his Prophet; before he died, practically the whole of Arabia was brought under his control due to his considerable military and administrative ability. The standard of the Arabs was

soon after firmly established from the banks of the Oxus to the shores of the Atlantic Ocean. The success of the army of Islam is one of the miracles of world's history, but this success was less striking when it came into a conflict with the people of India who lived under simpler and healthier conditions of society, religion and administration. Sultan Mahmood organised the Turkish bands, and pillaged, burned and devastated the rich plains, cities and temples of the Indus and the Ganges Valleys. Sultan Balban was a terrible tyrant, Jalaluddin Feroz Khilji was always averse to the slaughter of fellow Muslims for religious reasons but had lenity towards Thugs, organised bands of criminals whose religion was robbery and murder. Alauddin dreamt of founding a new religion like the Prophet and surpassing Alexander by conquering the whole habitable world; his treachery, licentiousness, cruelty and vanity, his treatment of the Hindus with great severity reducing them to a state of abject poverty mixed with his considerable ability and capacity for civil administration. Muhammad Bin Tuglak is an enigma in India history, with vanity, lack of judgment, revolting cruelty, traces of incipient lunacy and yet a military leader. Firoz Shah Tughlak was a kind and merciful ruler, but his connivance at corruption and his culpable leniency destroyed the efforts of his own acts; his benevolence extended only to his own co-religionists and his fanaticism resulted in persecution of the Hindus with a ruthless hand. Sikander Lodi was a man of military talents but his character was sullied by relentless bigotry with his policy of wholesale destruction of Hindu temples. Humayun was incapable of sustaining and continued policy, probably due to his excessive use of opium. Jahangir had a strange compound of tenderness and cruelty, justice and caprice, refinement and brutality, good sense and childishness; drink and opium wrecked his health and character. Shahjahan made a lavish display of gold and colours amidst agricultural and industrial classes; groaning under heavy taxation. Then follows the story of Aurangzeb, the breaker and destroyer of everything in India: empire, art, music and temples. The picture concludes with a narration of the agonies of the decaying Mughal court. No doubt all these are interspersed with mention of a few good deeds here and there but the other brush is so deep-coloured in general outlook and perspective that nothing else catches the eye. Even exploded stories are recorded with a subtle pen as if the others are not enough. 'Tradition records that Alauddin was captivated by the beauty of Padmini, the Guhila queen. If so the Sultan was balked of his prey; for when the fort fell and her husband was killed, the invaders found that she had burnt herself in fire' "——

**Babu KSHETRA NATH SINGHA:** On a point of order, Sir. This may be taken as read.

**Mr. DEPUTY SPEAKER:** That is no point of order.

**Mr. FAZLUR RAHMÁN:** Sir, after quoting the above, the Hon'ble Sir Muhammad Azizul Haque made this observation: "Let it be remembered that this is what a student in the most formative period of his life has to read in a school. It is bound to create communal discord and deep-rooted hatred. No wonder the Muslim culture and social order have disintegrated under this system of education and India has not yet been able to solve the Hindu-Muslim problem."

Now, Sir, who is responsible for this state of affairs?—the University of Calcutta. I may refer to what I said two years before in this House in connection with the Secondary Education Bill then before the House. This is what I said: "The University should have given the aid necessary to the healthy development of all sections of the people of the province. Much of the ill-feeling between the different communities of the province is due to the educational policy pursued by the University. In shaping its educational policy, the University has never taken into consideration the needs and sentiments of one great community, viz., the Muslim community which forms 54 per cent. of the population of the province. No one can be great unless he learns to respect his own culture and traditions. The University of Calcutta is responsible for presenting the past history of India to the school boys in a manner that it carries an impression that anything that is Hindu is good and anything that is Muslim is bad. The result is that every Muslim boy who receives training in an institution under the control of the Calcutta University grows with the idea that he belongs to an inferior stock and thus develops an inferiority complex. He loses self-confidence and becomes timid in his attitude towards life. Again in the distorted history of India presented to the school students, the Hindu boys find the Muslim rulers oppressing their Hindu subjects. The Hindu boys cannot take kindly to the Muslim boys and begin to develop a feeling of hatred towards them. This explains much of the bitterness between the two great communities of the province, and the educational policy of the University is responsible for this state of things.

An examination of the educational policy of the University will convince one that in formulating its educational policy, it has proceeded on the basis that the people of Bengal is homogeneous and Hindu in character. It has completely ignored the distinct cultural and educational needs of the Muslims. This policy has been so successful that even the distinguished public men of the Hindu community cannot appreciate the distinctive character and excellency of Muslim culture and Muslim sentiments, as these gentlemen happen to be product of education provided by the Calcutta University. The University has lost a great opportunity of rendering a valuable service. It is no wonder that the Muslims have lost confidence in this University."

In view of this miserable state of Secondary Education it was no wonder that as long ago as 1920 the Calcutta University Commission should have impressed the urgent necessity for reforming the Secondary Education system in Bengal. They said: "It is, therefore, our conviction that the reform of the University and Secondary Education in the Presidency is a matter which does not safely admit of delay."

Sir, I shall ask you to mark the word "safely". But this warning of the Commission has been systematically ignored.

Sir, though the previous Government recognised the danger of delaying reforms in the field of secondary education, the present Government has thought it fit to drop the Secondary Education Bill which passed the stage of a Select Committee and proceeded further into the consideration stage. They are now resorting to tactics to mislead the people of Bengal. So long as Dr Syamaprasad Mookerjee is in the Cabinet, no legislation for effecting reform in secondary education will be possible.

Sir, whenever the Government wanted to proceed with the Bill, the University of Calcutta opposed it to the detriment of the people in general and to the Muslims in particular and with a view to continue the vested interests of a particular family. Sir, who is this Calcutta University?—Dr. Syamaprasad Mookerjee. The great Doctor, Sir, has always been unable to bring a broad outlook to bear on the educational problems and his whole outlook was dominated by communal and sectarian considerations, as would appear from the policy pursued by the Calcutta University. What is the Muslim Chief Minister of Bengal doing? In the present Cabinet, Sir, he is a mere spectator. What about the Muslim members of the Progressive Coalition Party? Sir, the less you talk about them the better.

Sir, you might ask me why I did not refer to the Hon'ble Khan Bahadur Abdul Karim. Is he of any consequence? Will he be able to help? Has he the capacity to rise to the occasion? In the answers to these questions, you will, Sir, get the reply.

With these few words, Sir, I commend my motion to the acceptance of the House.

**Mr. P. BANERJI:** Mr. Deputy Speaker, Sir, I beg to move that the demand of Rs. 1,71,00,000 for expenditure under the head "37—Education—General" be reduced by Rs. 100. This I do, Sir, with a view to discussing the question of deprovincialising Government High English Schools.

This is a subject, Sir, to which the attention of veteran educationists of this country as well as of some veteran educationists of other countries has been drawn. But as the Hon'ble Minister in charge of Education is new in his line I shall not indulge in ancient history as my predecessor has done. I shall only refer to some practical points for the

consideration of the Hon'ble Minister. After an insistent demand by veteran educationists as far back as in 1921 a Committee was formed in 1921 of which the late Sir R. N. Mookerjee was the Chairman. It is known as the Mookerjee Retrenchment Committee. That Committee reported in favour of decentralization of the high schools in the province. It was accepted by the then Governor, Lord Lytton, and no other person than the present Chief Minister of Bengal, the Hon'ble Mr. Fazlul Huq, was then in charge of the portfolio of Education. In fact, he started with the abolition of a school at Jamalpur and after Jamalpur he went over to Burdwan. At that time at Burdwan a Government school was going to be established and the building for the school was complete. But on the basis of the recommendation of that Committee the school was handed over to a private committee. Then, Sir, the experiment went farther. It went to Chinsurah. Mr. Dunn was then the Director of Public Instruction and he went to Chinsurah to give effect to that recommendation of the Committee. But while coming back from Chinsurah Mr. Dunn was drowned in the Hooghly and with his death the whole scheme of decentralization was buried.

Now, Sir, we cannot understand why the scheme which was approved by the Government and which was started was given a burial with Mr. Dunn. No explanation has so far been given by the department about the abandonment of this scheme. If we scrutinise the present position we find that there are altogether about 1,500 schools under the University of which about 1,250 schools are in Bengal and of these 1,250 schools there are only 47 Government High Schools in Bengal. For these 47 Government High Schools a large amount to the tune of about 15 lakhs of rupees is spent, whereas for about 500 aided schools an amount of about 12 lakhs of rupees is spent. There are about 700 private schools which are unaided as honourable members know as some of them are on the managing committee of these private schools also.

Now, Sir, the original object was that these institutions should serve as model institutions. But that no longer exists. They are not ideal institutions today, nor are they model institutions. From the results of examinations nowadays we know that the private schools are giving better education than these institutions which at one time were called model institutions. As I was saying these aided schools spend beside Government grant an amount to the tune of about 20 lakhs of rupees while private schools spend about 30 lakhs of rupees. Now, if we compare the scale of pay of teachers of private schools with that of other schools we find that the scale of pay in private schools according to University Regulations is between Rs. 25 and Rs. 40; in case of Head Masters it is up to Rs. 80 in Calcutta and up to Rs. 70 in the mofassal. The scale of pay of teachers in Government Schools is very high. Now, Sir, what is the object of spending this money? The object is to give education to the boys and girls of our province. If

without spending so much money on so-called model institutions Government had started deprovincialisation of these institutions we could have this money diverted to other institutions. Perhaps the Hon'ble Minister does not know what is the actual state of facts. I ask him to state what actuated Government to stop that policy and what is the present policy today.

As I was saying, Sir, in the matter of grant this invidious distinction should not be made and my definite suggestion is that these institutions no longer serve as model institutions. The results of these Government institutions are not so glorious for the last few years. They do not stand first or compete. It is the private institutions like Saraswati Institution, the Diamond Harbour Institution and Jagabandhu Institution of Ballygunge which make brilliant results. If that is so, then why this distinction should be continued any further.

Then, Sir, another point is that the guardians have no control over these Government institutions whereas in the case of private institutions they can have control over the managing committee and they can make recommendations In Government institutions they can do nothing of the kind. As a result the Government institutions are deteriorating.

Then as regards staff, when a new man is appointed in the department, whether he is an efficient teacher or not, some day he will reach the top of the ladder That is the main reason why we find that education in Government institutions has deteriorated. A person who is not well-versed in English or in Mathematics becomes a Head Master in course of time and he cannot do justice to his office. So, as I was saying before, if the money could have been diverted, then the position of teachers in private schools would not have been what it is today.

During the emergency the private schools in co-operation with the University decided to close their classes. Then on the 19th January again another direction was given that schools could be opened on certain conditions and after certain A. R. P. arrangements had been made. As a result, many of the schools, as the Hon'ble Minister knows, have not yet been able to open their doors for the simple reason that they have not been able to act up to the instructions. That is the reason why most of the teachers today are out of employment. I admit that there is an attempt by the University—rather I should say, by the university and the Government—to amalgamate certain schools. That may be a move in the right direction, but what is the result? The result is that they are prepared to give them three months' salary or half salary for three months. So, if there was a scheme and if this money had not been wasted and had been diverted long ago, then these schools could have sufficient funds and could have been able to stand the strain

in times of emergency. Now, it is time that Government should consider this point and try to spend a large amount of money in this direction so that if after amalgamation of schools they could be provided in those schools, well and good, if not, their services might be employed in some other ways, so that after working all these years in an honest service, these innocent teachers may not be put to unnecessary trouble and harassment at this time.

Sir, with these words, I commend my motion to the acceptance of the House.

## Adjournment.

The House was then adjourned at 11-30 a.m. till 8-30 a.m. on Thursday, the 19th March, 1942, at the Assembly House, Calcutta.

# Proceedings of the Bengal Legislative Assembly assembled under the Provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Thursday, the 19th March, 1942, at 8-30 a.m.

**Present:**

Mr. Deputy Speaker (MR SYED JALALUDDIN HASHEMY) in the Chair, 7 Hon'ble Ministers and 203 members.

## STARRED QUESTIONS

**(to which oral answers were given)**

### Rise in the price of essential commodities.

***173. Khan Bahadur MOHAMMED ALI:** (*a*) Is the Hon'ble Minister in charge of the Labour and Commerce Department aware—

(*i*) that owing to restrictions in railway transport facilities price of essential commodities like rice, molasses, etc., have gone up very high; and

(*ii*) that the difference in the price level in different districts is considerably great?

(*b*) If so, is the Hon'ble Minister considering the desirability of constituting a Transport Control Board to direct the order of precedence of commodities to be transported to the various districts in the Province?

**MINISTER in charge of the COMMERCE and LABOUR and EDUCATION DEPARTMENTS (the Hon'ble Khan Bahadur M. Abdul Karim):** (*a*) (*i*) Yes, the prices of some of the essential commodities have risen on account of wagon shortage but the price of rice has hardly been affected on this account because rice is usually transported by carts and boats rather than by railways.

(*ii*) The price differential between different districts depends on the difference in handling and freight charges and so far as I am aware the difference is based strictly on these factors.

(*b*) An inter-provincial Board of Transport has already been constituted and I do not consider that there is at present any real need for constituting any other Transport Board.

**Dr. SURESH CHANDRA BANERJEE:** Will the Hon'ble Minister be pleased to state what has been the cause of increase in the price of rice in this province?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** Because there is no further import of rice from Rangoon.

**Dr. SURESH CHANDRA BANERJEE:** In view of the shortage of rice in this province, will the Hon'ble Minister be pleased to state what he proposes to do in the matter?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** As far as I am aware there is at present no shortage of rice in Bengal unless, as recent information goes, there is absolute shortage of wheat in the Punjab and in Northern India and we have to export. There is a call from the Government of India upon the Provincial Government under section 102 of the Government of India Act that rice should have to be exported to the Punjab and Northern India. We are in communication with the Government of India opposing the suggestion made by them and we are awaiting the result.

**Dr. SURESH CHANDRA BANERJEE:** Does the Hon'ble Minister know that about Rs. 10 crores worth of rice is imported annually from Burma to Bengal and that import has been stopped absolutely? If so, what does the Hon'ble Minister like to say about the shortage of rice in Bengal now?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** The position, so far as last year was concerned, was that there was equal export and import of rice to and from Bengal. Therefore if there is no further export, the probability is that there will be no shortage of rice.

**Khan Bahadur MOHAMMED ALI:** With reference to answer (*a*) (*ii*), will the Hon'ble Minister be pleased to state if the existing level of price in the different districts is not at all consistent with the difference due to freight and handling charges?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** I do not admit that.

**Khan Bahadur MOHAMMED ALI:** Will the Hon'ble Minister be pleased to state what is the function of the Inter-Provincial Board of Transport which has been constituted?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** The regulation of transport of goods from this province to that and from that province to this.

**Khan Bahadur MOHAMMED ALI:** Will the Hon'ble Minister be pleased to state whether it is within the purview of the Board to regulate transport from one district to another in the province?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** That comes within the purview of the Board's activities.

**Rai Sahib ANUKUL CHANDRA DAS:** Will the Hon'ble Minister be pleased to state if he considers the desirability of purchasing rice and stock it for the benefit of the people?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** That point has already been considered by Government and they consider that it is a point of doubtful utility.

**Mr. AHMED HOSAIN:** With reference to (*a*) (*i*), is it unusual according to the knowledge of the Hon'ble Minister for rice being transported through railways?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** We seldom come across such a case except between two important stations, Chittagong and other stations served by the Bengal and Assam Railway up to Akhaura.

### Enforcement of Primary Education Act in Malda.

***174. Maulvi IDRIS AHMED MIA:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state—

(*i*) the names of those districts where the Bengal (Rural) Primary Education Act, 1930, has been enforced;

(*ii*) total amount spent for each of those districts by (1) Government and (2) District School Board since such enforcement; and

(*iii*) names of those districts where the Bengal (Rural) Primary Education Act, 1930, has not yet been enforced?

(*b*) Will the Hon'ble Minister be pleased to state whether there is any District School Board at Malda?

(*c*) If not, will the Hon'ble Minister be pleased to state the reason thereof?

***The Hon'ble Khan Bahadur M. ABDUL KARIM:*** *(a) A statement is* laid on the Table.

(*b*) No.

(*c*) The question of establishing a District School Board in Malda is under the consideration of Government.

*Statement referred to in reply to clause (a) of starred question No. 174.*

(*a*)(*i*) 1. 24-Parganas.
2. Nadia.
3. Murshidabad.
4. Howrah.
5. Birbhum.
6. Pabna.
7. Bogra.
8. Dinajpur.
9. Rangpur.
10. Jalpaiguri.
11. Dacca.
12. Mymensingh.
13. Faridpur.
14. Bakarganj.
15. Chittagong.
16. Noakhali.
17. Tippera.

(*ii*)

| District School Board. | Total expenditure incurred (grant paid) by Government up to 1940-41 since the enforcement of the Act in the district. | Total expenditure incurred by the District School Board from Government grant and other sources up to 1940-41 since the enforcement of the Act in the district. | | |
|---|---|---|---|---|
| 1 | 2 | 3 | | |
| | Rs. | Rs. | a. | p. |
| 1. 24-Parganas .. | 97,518 | 3,06,968 | 13 | 9 |
| 2. Nadia .. .. | 3,81,356 | 6,09,084 | 2 | 4 |
| 3. Murshidabad .. | 3,12,952 | 5,01,749 | 0 | 0 |
| 4. Howrah .. .. | 1,43,922 | 79,044 | 8 | 0 |
| 5. Birbhum .. .. | 4,58,215 | 5,69,475 | 0 | 0 |
| 6. Pabna .. .. | 4,09,842 | 6,76,272 | 0 | 0 |
| 7. Bogra .. .. | 4,38,895 | 6,06,907 | 0 | 0 |
| 8. Dinajpur .. .. | 4,91,930 | 7,86,365 | 0 | 0 |
| 9. Rangpur .. .. | 5,92,952 | 9,63,605 | 0 | 0 |
| 10. Jalpaiguri .. .. | 3,60,698 | 6,02,033 | 8 | 0 |
| 11. Dacca .. .. | 14,62,510 | 20,66,170 | 9 | 6 |
| 12. Mymensingh .. | 20,19,722 | 38,97,018 | 0 | 0 |
| 13. Faridpur .. .. | 5,58,945 | 4,67,047 | 0 | 0 |
| 14. Bakarganj .. .. | 2,07,011 | 3,45,339 | 0 | 0 |
| 15. Chittagong .. .. | 9,80,592 | 13,97,502 | 0 | 0 |
| 16. Noakhali .. .. | 8,93,348 | 12,74,766 | 13 | 0 |
| 17. Tippera .. .. | 9,08,985 | 15,71,919 | 0 | 0 |

(*iii*) The remaining districts in the province.

**Maulvi MUHAMMAD ISRAIL:** Will the Hon'ble Minister be pleased to state when the Bengal (Rural) Primary Education Act will be enforced in the remaining districts?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** As time goes on, because according to the Rural Primary Education Act itself from the Preamble you will find that progressive realisation is the object to be achieved. Up till now we have this Act in force in 17 districts. I mean School Boards have been established in 17 districts and six out of these 17 districts are getting education free.

**Mr. NIKUNJA BEHARI MAITI:** Will the Hon'ble Minister be pleased to state if, in view of the present circumstances, Government are willing to spare the other districts from the imposition of the education cess?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** As a matter of fact in Howrah although cess was imposed, for the time being the Hon'ble Minister in charge of the Revenue Department has by his order suspended the imposition of the tax. Similar is the case with Dinajpur and Rajshahi.

**Mr. ATUL CHANDRA KUMAR:** Will the Hon'ble Minister be pleased to consider the desirability of consulting the representatives of Malda before coming to a final decision as regards the imposition of the tax in Malda?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** That will be done.

**Srijut NARENDRA NATH DAS GUPTA:** Will the Hon'ble Minister be pleased to extend this clemency about suspension of realisation of the tax to the Bakarganj district?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** Yes, if Bakarganj can make out a strong case.

**Maulvi MUHAMMAD ISRAIL:** Will the Hon'ble Minister be pleased to state why Government suspended the realisation of the tax? Was it due to any representation from the Tenants' Association or was it on the representation of the landlords of that particular district?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** On general representation as recommended by the District Officers and the Divisional Commissioner.

**Provisions for security prisoners.**

***175. Mr. JNANENDRA CHANDRA MAJUMDAR:** (*a*) Is the Hon'ble Minister in charge of the Home Department aware that in a Press Note, dated the 27th July, 1941, Government have announced the sanction of—

(*i*) cotton mattresses and pillows;

(*ii*) *four dhotis;*

(*iii*) "*patis*" in summer and additional bedding in winter at the discretion of the Superintendent; and

(*iv*) installation of a wireless receiving set at Hijli to the security prisoners at Government cost?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether the articles mentioned in clause (*a*) have been supplied to the security prisoners at Hijli?

(*c*) If so, when?

(*d*) If any of the articles have not yet been supplied, will the Hon'ble Minister be pleased to state the reason thereof?

**MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq):** (*a*) I refer the honourable member to the Government Press Note of the 26th July, 1941, a copy of which is laid on the Library Table and to the revised Security Prisoners Rules a copy of which was laid on the Library Table in connection with the answer to unstarred question No. 83 given by my predecessor on the 8th September, 1941.

(*b*) Yes, excepting "*patis*" and a wireless receiving set.

(*c*) Mattresses and pillows were supplied in November, 1941, and other articles as and when required by the security prisoners.

(*d*) As the hot season was over before any arrangement could be made for the supply of "*patis*" of the required measurement this was not done in the last summer.

As the prisoners have since been removed to other jails the question of supplying radio set at Hijli no longer arises.

**Dr. SURESH CHANDRA BANERJEE:** Will the Hon'ble Minister be pleased to state whether radio set will be supplied to those who were in Hijli Jail when they are transferred?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I shall be prepared to consider that.

**Mr. NIKUNJA BEHARI MAITI:** In view of the fact that Mr. Jnanendra Chandra Majumdar, M.L.A., is not here, will the Hon'ble Minister be pleased to state whether the Government will be willing to supply the prisoner with copies of the Government Press note of the 26th July, 1941, and the revised Security Prisoners Rules, copies of which were laid on the Library Table?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I do not know if that can be done under the rules. If there is no objection I shall do so.

**Mr. NIKUNJA BEHARI MAITI:** Will the Hon'ble Minister be pleased to state from which side the objection may arise?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** These things are governed by rules.

**Mr. DEPUTY SPEAKER:** If there is no bar to sending copies to the member who is inside the jail, it will be done.

## Allowances drawn by Hon'ble Ministers for tour during January, 1942, in Noakhali.

*176. **Mr. SYED ABDUL MAJID:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*i*) when did the Hon'ble Chief Minister and his colleagues actually arrive at Noakhali;

(*ii*) which places they visited during their tour in the Sadar subdivision of the district; and

(*iii*) what was the object of their visits to those places?

(*b*) Will the Hon'ble Minister be pleased to state how much travelling allowance and halting allowance has each of the Hon'ble Ministers drawn for their tour in Noakhali in January, 1942?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** (*a*) (*i*) 18th January, 1942.

(*ii*) Noakhali, Begumganj, Raipur, Lakshmipur and Basurhat. The Hon'ble Minister in charge of the Education Department visited the first two places only.

(*iii*) Official tours.

| | Travelling allowance. | Daily allowance. |
|---|---|---|
| | Rs. a. | Rs. |
| (b) Hon'ble Chief Minister .. | 190 0 | 90 |
| Hon'ble Minister (Communications and Works) | 274 9 | 135 |
| Hon'ble Minister (Co-operative Credit and Rural Indebtedness) .. | 272 0 | 135 |
| Hon'ble Minister (Education) .. .. | 46 0 | 150 |

Hon'ble Minister, Education, performed the rail and steamer journey on requisition, the cost of which is not known to me.

**Khan Bahadur MOHAMMED ALI:** Will the Hon'ble Minister be pleased to state if it is more expensive to travel on requisition?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** The position is this. Travelling on requisition is sometimes less expensive because in such cases only actual expenses are paid, whereas if tickets are purchased the Ministers will be entitled to larger amounts. It all depends on the distance travelled and other circumstances Sometimes it is less expensive and sometimes it is more expensive.

**Khan Bahadur MOHAMMED ALI:** Will the Hon'ble Minister be pleased to state if the Hon'ble Minister in charge of Education only performed the journey to the first two places how does the travelling allowance become more than that of other Ministers?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** That is a question which it is impossible for me to answer, but I may tell the House that the whole question of the travelling allowance of Ministers is engaging our attention and we are trying to economise as much as possible in future.

**Maulvi MAFIZUDDIN AHMED:** Will the Hon'ble Minister be pleased to state how long the Hon'ble Education Minister stayed in Noakhali?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I do not know the exact number of days, but I think it may be two or three days.

**Dr. NALINAKSHA SANYAL:** As the amount drawn is Rs. 150, it must be ten days at the rate of Rs. 15 a day.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I am unable to say.

**Maulvi MAFIZUDDIN AHMED:** Will the Hon'ble Minister be pleased to state whether the Hon'ble Education Minister saw the Principal of the Feni College?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I have not got the information before me, but if the information is wanted, I shall be glad to supply it if a separate question is put.

**Khan Bahadur MOHAMMED ALI:** What is the rate of daily allowance admissible to Ministers?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** It is Rs. 15 within the province and Rs. 25 outside the province.

**Mr. ATUL CHANDRA KUMAR:** Will the Hon'ble Minister be pleased to state if he is aware that the rate has been changed since the 17th December, 1941?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I am not aware.

**Security prisoner Sj. Abani Chakravarty.**

***177A.** (SHORT NOTICE) **Mr. NISHITHA NATH KUNDU:** (*a*) Is the Hon'ble Minister in charge of the Home (Political) Department aware—

(*i*) that security prisoner Sj. Abani Chakravarty of Rajshahi has been transferred from Deoli to Fategarh Jail;

(*ii*) that he is still suffering from throat trouble;

(*iii*) that the throat trouble has since increased; and

(*iv*) that he is suspected to be attacked with tuberculosis?

(*b*) If the answer to (*a*) (*iv*) is in the affirmative will the Hon'ble Minister be pleased to state what arrangement has been made for his medical treatment?

(*c*) Is the Hon'ble Minister considering the desirability of—

(*i*) releasing him at this state; or

(*ii*) transferring him to a jail where he can be placed under proper medical treatment?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** (*a*) to (*c*) The prisoner has been detained under the orders of the United Provinces Government.

This Government have no information.

**Mr. NISHITHA NATH KUNDU:** In view of the serious complaint made regarding the health of the prisoner, will the Hon'ble Minister be pleased to consider the desirability of transferring him to a place where best medical treatment is available?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** It is not possible for this Government to take action of its own motion, but if a representation is made, I shall be prepared to forward it with my recommendations to the United Provinces Government.

**Dr. NALINAKSHA SANYAL:** Will the Hon'ble Minister be pleased to state what responsibility the Government of Bengal has in connection with such prisoners who are residents of Bengal but may have been temporarily detained under the orders of another Provincial Government?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** It is a comprehensive question.

**Dr. NALINAKSHA SANYAL:** It is a very simple question.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** No, it is not.

**Dr. NALINAKSHA SANYAL:** My question is what responsibility has this Government got in regard to persons who are permanent residents but who may be temporarily under the custody of another province?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** This question raises some important points. If my honourable friend puts a separate question, I can enquire and supply him with information.

## UNSTARRED QUESTIONS

**(answers to which were laid on the table)**

### Communal Ratio Rules to non-technical posts.

**78. Mr. M. A. H. ISPAHANI:** (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government (Medical) Department be pleased to state whether he is contemplating restricting the application of Communal Ratio Rules regarding services to non-technical posts alone?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps he proposes to take to safeguard the interest of the Muslim community?

**MINISTER in charge of the PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Santosh Kumar Basu):** (*a*) No.

(*b*) Does not arise.

**Babu MADHUSUDAN SARKAR:** Will the Hon'ble Minister be pleased to state whether the Hon'ble Minister is in a position to assign any reasons on which his answer in the negative with regard to (*a*) was based?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** The reasons are that it is not so.

**Dr. NALINAKSHA SANYAL:** Will the Hon'ble Minister be pleased to state without any expressions of passion if the communal ratio rules provide for securing the best medical help in the various institutions irrespective of communal considerations?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** There are two parts of the question: which part am I to answer?

**Dr. NALINANKSHA SANYAL:** Both.

**The Hon'ble Mr. SANTOSH KUMAR BASU:** Put them separately.

**Dr. NALINAKSHA SANYAL:** Please do not arrogate to yourself the power of the Speaker

**Mr. DEPUTY SPEAKER:** Order, order, Dr. Sanyal. Please answer, Mr. Basu, the second part of the question.

**The Hon'ble Mr. SANTOSH KUMAR BASU:** With regard to the Medical Department, the question of communal ratio does arise when it comes under the rules.

**Dr. NALINAKSHA SANYAL:** Will the Hon'ble Minister be intelligent enough to answer properly——

**Mr. ATUL KRISHNA GHOSE:** I rise on a point of order, Sir. I would ask for your ruling if any member of this House is entitled to address an Hon'ble Minister as to whether the Hon'ble Minister is intelligent enough or something like that.

**Mr. DEPUTY SPEAKER:** It is very desirable that members should desist from using such expressions in the House.

**Dr. NALINAKSHA SANYAL:** *Will the Hon'ble Minister use such language which may be intelligible to the members putting the question, that is, will the Hon'ble Minister deal with foolish members like myself in an intelligent way——*

**Mr. DEPUTY SPEAKER:** What is your question, Dr. Sanyal?

**Dr. NALINAKSHA SANYAL:** Will the Hon'ble Minister be pleased to state whether in the selection of the technical staff under his department considerations other than merit do not come into play?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** So far as communal ratio rules are binding on the department, probably the requirements of merit may have to be sacrificed at times.

**Dr. NALINAKSHA SANYAL:** Will the Hon'ble Minister be pleased to state whether communal ratio rules make any distinction between technical and non-technical services?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** In some cases they make but I think it is accepted that where the question of a technical appointment requires the consideration of merit to be of paramount importance Government may make a departure.

### Enquiry into the firing at Kaliganj.

**79. Mr. FARHAD REZA CHOWDHURY:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether the Committee appointed to enquire into the firing at Kaliganj, Murshidabad, have submitted their report?

(*b*) If so, will the Hon'ble Minister be pleased to lay on the Table a copy of the said report?

(*c*) Have the Government taken any action on the said report?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** (*a*) No Committee was appointed.

(*b*) and (*c*) Do not arise.

### Held Over Questions.

**(As soon as starred question No. 59 was called out, Khan Bahadur Mohammed Ali stood up and said:)**

**Khan Bahadur MOHAMMED ALI:** Sir, it is very difficult for us to put supplementary questions on questions held over without being previously prepared for this.

**Mr. DEPUTY SPEAKER:** What is your suggestion then?

**Khan Bahadur MOHAMMED ALI:** I suggest that these held over questions be taken up to-morrow or the day after so that we may come prepared with the necessary papers.

**Mr. DEPUTY SPEAKER:** All right, these held over questions will be taken up to-morrow.

Questions over.

**Arrangements regarding the administration of the Assembly office in the absence of the Hon'ble Mr. Speaker.**

**Dr. NALINAKKSHA SANYAL:** On a point of order, Sir. May I enquire once more what arrangements have been made with regard to the administration of the Assembly office and the powers of the Deputy Speaker in the absence of the Hon'ble the Speaker to be exercised either temporarily or permanently I have been raising this point from day to day but I am sorry I have not yet got any reply to that although you had kindly promised to consult the Home Department and then give your ruling on the matter as early as possible. May we know, Sir, when you will kindly enlighten us on the situation?

**Mr. DEPUTY SPPEAKER:** I have, in fact, been considering the matter and I hope I will be able to give my decision on it very soon after I have consulted with the Home Department and the Hon'ble the Speaker.

**Dr. NALINAKSHA SANYAL:** May we, Sir, have an idea as to the date when you will be able to give your decision?

**Mr. DEPUTY SPEAKER:** It is impossible for me to do so now, but I expect to give my decision on Saturday or Monday next.

**Dr. NALINAKSHA SANYAL:** Thank you, Sir.

## DEMAND FOR GRANTS.

### 37—Education—General.

[The debate on the demand for grant under the "37—Education—General" was then resumed.]

**Babu RADHA NATH DAS:** Mr. Deputy Speaker, Sir, I rise to move my cut motion, namely, that the demand of Rs. 1,71,00,000 for expenditure under the head "37—Education—General" be reduced by Rs. 100. This I do with a view to raising a discussion about the inadequacy of the amount provided for Scheduled Castes' education.

I may say, at the outset, Sir, that I also support the motion moved by my friend to my right, I mean Mr. Dhirendra Nath Datta who is a prominent member and the Deputy Leader of our party. At this period, Sir, when every mind is agitated over the present world crisis due to war and especially due to Japanese aggression because Bengal is so situated that this province will be the first victim of Japanese attack. And so our minds have been troubled to a very considerable extent. However, Sir, the main steps to remove and alleviate this trouble and anxieties from our minds does not so much depend on us but mainly upon the line of action that may be taken by the British Government towards India. And if any line of action is to be taken at all, it should be taken without any further delay. In these circumstances, nobody is in a mood practically to think about the Scheduled Castes' affairs and other matters of lesser importance. But, Sir, as this matter, such as is contained in my cut motion has been brought before us by the Cabinet for discussion, I cannot remain silent, without uttering a word in criticising it.

To come now to the point, Sir, the cut motion that stands in my name relates to the inadequacy of the amount provided for Scheduled Castes' education. I should draw the attention of the Hon'ble Minister concerned and also of the whole Cabinet to the fact that the amount provided for the education of Scheduled Castes' boys and girls is quite paltry, inadequate and insignificant. That this is so will be admitted by everybody when he will consider seriously about and go into the matter of the educational backwardness of the Scheduled Castes. First of all, if we look into the question of population of Scheduled Castes we will see that practically one-fifth of the total population of Bengal belongs to the Scheduled Castes, and in fact the number of Scheduled Caste people in Bengal exceeds the number of caste Hindu people. Another most important point, and that is my second point, is that the Scheduled Caste people are generally poor, and so poor that they cannot in most cases provide for the educational expenses of their children. The point is that the Scheduled Caste

people are practically without any education: the light of education has not dawned upon them. They are not only uneducated, but they are almost totally illiterate and ignorant. These three points combined together, that is to say, their illiteracy, their poverty and the vastness of their population, represent undoubtedly a very good cause for Government to take proper and adequate steps and a very sincere move towards the advancement of education of the Scheduled Caste people of Bengal. But I see that Government has only sanctioned an amount of Rs. 1,50,000 towards this important subject. So, I cannot but accuse Government by saying that Government is most apathetic towards the advancement and improvement of the Scheduled Caste people of Bengal and this accusation of mine can be amply proved if I give examples as to what other provinces are doing for the cause of educational advancement of the members of the Scheduled Castes.

Sir, first of all let me take the case of Bombay. The House will find that a very large number of scholarships, stipends and free-studentships have been given to the Scheduled Caste students and this I will show from a report published by the Bombay Government in the year 1938. The report runs thus: "Government have recently taken special measures for the advancement of education among the Scheduled Classes. As a result of these measures, Scheduled Class students in all Arts and Professional Colleges, Government as well as non-Government, will receive full free-studentships as well as scholarships at the rate of Rs. 15 in Arts Colleges and Rs. 20 to Rs. 30 per mensem in Professional Colleges. All students in Government secondary schools will receive full free-studentships, and all students in Government as well as non-Government secondary schools who are eligible under the rules, will also get scholarships at the rate of Rs. 4 to Rs. 8 per mensem. The question of grant of full free-studentship to all Scheduled Class students in non-Government secondary schools is under consideration."

Sir, another report by the same Government in the year 1939 will show how much the Bombay Government is keen on the improvement and advancement of the Scheduled Caste education. Let me read some lines from the report and it will be quite clear how much my statement is correct. As regards educational facilities they are stating thus: "It is thus the declared policy of Government that no discrimination should be made against the Scheduled Castes in educational institutions aided from public funds on the ground of caste. With a view to enforcing the strict observance of this policy by local authorities Government has also promulgated a rule under the Bombay Primary Education Act, 1923, to the effect that no grant shall be paid to a local authority in respect of a school where admission is refused to any pupil on the ground of caste or community." Now this is very important. The rule further provides that "if no pupils belonging to the Scheduled Castes are actually attending a school it will be presumed that admission

is being refused to such pupils within the meaning of this rule unless the school board proves to the satisfaction of the Director of Public Instruction that no such pupils are residing within a distance of one mile from the school building or adduces other satisfactory reasons for the absence of such pupils from the schools."

The Bombay Government have also given an enormous number of free-studentships and scholarships to Scheduled Caste students and they are the following: Pupils of the Scheduled Castes are exempted from the payment of fees in all primary schools and in Government secondary schools, provided the pupils are certified to be poor.

Then, Sir, sufficient hostel accommodation has been made by the Bombay Government.

Arrangements have also been made by the Bombay Government for awarding special scholarships for foreign studies. Three special scholarships for prosecution of higher studies in England are also being awarded to Scheduled Caste candidates. They have also made arrangement for training in industries and so far as members of the Scheduled Castes are concerned, they are allowed free training. They are not required to pay any charge for training in industries or for any other professional training. The report says: The Scheduled Castes who are engaged in industries like tanning, weaving, rope-making, etc., are deriving considerable benefit from the training in the organised methods of these industries from the peripatetic demonstrations organised by the Industries Department specially with a view to benefit these castes. The benefit of the Tanning School and the Leather Working School at Khar also mainly goes to the Scheduled Castes.

The Madras Government has also published a similar report. From these reports it is quite evident how these provinces are eager and willing to improve the condition of the Scheduled Castes. The Madras Government report will show that a very large number of scholarships and stipends are awarded to the Scheduled Caste students in the department of ordinary education, in the department of special education, in commercial and professional education and in industrial education. They have also made sufficient provision for hostel accommodation and other boarding accommodation and the members of Scheduled Castes are not required to pay any charges for lodging and boarding in hostels and other boardings. From this it is quite evident how far other provinces, specially Bombay and Madras Governments, are keen, serious and willing to improve the educational backwardness of the Scheduled Castes. So, when I consider how much is being done by other provinces like Bombay and Madras for the Scheduled Castes and compare the same with Bengal, I cannot but say that these other provinces unlike Bengal are really eager and sincerely anxious for the educational advancement and improvement of the Scheduled Castes. I would therefore request and demand that the Government should come to its senses

by doing good to the Scheduled Caste people and augment the grant for the advancement of the Scheduled Castes and make it a point to spend at least Rs. 10 lakhs for the educational advancement of the Scheduled Caste people of Bengal.

**Maulvi MAFIZUDDIN AHMED:** Sir, I beg to move that the demand for Rs. 1,71,00,000 for expenditure under the head "37—Education—General" be reduced by Rs. 100. The object of my motion is to raise a discussion about Hon'ble Education Minister's utterance at Comilla with reference to the Muslim boys of the Comilla Victoria College.

Mr. Deputy Speaker, Sir, the shameless and cowardly utterances which the Education Minister made at Comilla with reference to the Muslim boys of the Comilla Victoria College by the latter part of December, 1941, on his first visit to Comilla after he had become a Minister, has compelled me to move this cut motion.

Sir, Khan Bahadur Abdul Karim was sworn in as a Minister on the 16th December, 1941. He went to Comilla on the 25th or the 26th December, 1941 Agents were engaged to stage a reception at the railway station Vigorous attempts were made but all efforts proved abortive. The Hon'ble Education Minister flew into a rage. He was told that Muslim boys of the Comilla Victoria College took a leading part in organising a boycott. Without caring to inquire whether the accusations made against the students were correct or not the great fascist leader Khan Bahadur Abdul Karim sent for the Muslim Professors of the Victoria College and threatened them with drastic action and thundered: "To begin with I will rusticate 25 per cent. of these Muslim boys These sons of cultivators must go back to cultivation. What right have they got for higher education?" Sir, nobody would have minded if these irresponsible things were uttered by an irresponsible man. I would have personally considered it below my notice if the bourgeois leader in his personal capacity indulged in ravings like this But when a Minister, supposed to be responsible to a popular Government, makes an utterance like this, it has to be considered on all its bearings

**Mr. DEPUTY SPEAKER:** Was it a public meeting?

**Maulvi MAFIZUDDIN AHMED:** Yes, Sir It was not a private meeting. Many other people were present. Now, Sir, I apprehended this outburst might foreshadow a malignant policy to be pursued by the present Hindu Sabha-Forward Bloc-ridden Ministry towards the Muslim students in general. My apprehension was amply demonstrated by the cruel and ruthless actions taken against the Muslim students in the province at the instance of the Ministers. Students

*have been arrested at Laksham simply for crying "Allah-o-Akbar—* Muslim League Zindabad". A student leader Maulvi Abdul Hamid Majumdar and a prominent League worker Maulvi Abdul Matin have been home-interned just on the eve of the visit to Tippera by Khan Bahadur Karim, Khan Bahadur Hashem Ali Khan and Maulvi Shamsuddin Ahmed by the latter part of the third week of January, 1942. Mr. Abdul Momin, B.A., Mr. Habibur Rahman, a B.A. candidate, and some others of Comilla have been prosecuted. Muslim students were expelled from the Feni College. Their scholarships were cancelled. Some of these have very brilliant careers. They have been indeed the best flowers of the college. Yet these ruthless actions were taken against them. Did they really merit these atrocious actions? Some shameless claim has been made by someone in the Ministry that they had nothing to do with these affairs. But may I ask Khan Bahadur Karim through you, Sir, whether he, by placing his hands on his breast, can say that he had no hand in the matter or that he had not given any order in writing or verbal to the Principal of the College for the barbarous actions taken against the students? From all these it would be abundantly clear that Khan Bahadur Karim's utterance at Comilla foreshadowed the repressive policy pursued by the present Ministry against the Muslim students.

Now, Sir, let us consider the much-hated fascist mentality that characterises the Hon'ble Education Minister, or for the matter of that the whole Ministry. The present Ministry, composed as it is, of some reactionary elements and die-hards, cannot but look with an eye of contempt to the tillers of the soil—the Muslims of Bengal. Dr. Mookerjee, a typical die-hard, wherever he goes and whenever he speaks, brings hell with him. By education, culture, tradition and susceptibilities he cannot but look down upon the cultivators. The Hon'ble Mr. Fazlul Huq plays a second fiddle to Dr. Mookerjee. Then Mr. Basu and Mr. Banerjee are of the same feather. The less spoken of the Nawabs, the Maharajas and similar other stalwarts of the present Ministry, the better. To crown all the Ministry appear to have the blessings of the fifth columnists and the traitors of the country. (Uproar.)

(Some members of the Coalition Party wanted to rise on a point of order all at once.)

**Mr. DEPUTY SPEAKER:** Order, order. Members should address me and not put questions direct to the honourable member.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** The honourable member has said that this Ministry has the blessings of fifth columnists. Does the honourable member admit that he made that statement?

**Mr. DEPUTY SPEAKER:** It is absolutely improper and I hope that members will not use such expressions.

(Cries of "withdraw" from the Coalition Benches.)

**Babu NARENDRA NARAYAN CHAKRABARTY:** On a point of order. সভাপতি মহাশয়কে অনুরোধ করছি—যে এই সভার কোন সভ্য, মন্ত্রীসভার কোন সভ্য বা এই সভার কোন সদস্যকে fifth columnist বলবার অধিকার কে দিয়েছেন তা জানাবেন কি ?

**Mr. DEPUTY SPEAKER:** I have already said that such expressions are improper. I will see whether this expression should form part of the proceedings or not.

**Babu NARENDRA NARAYAN CHAKRABARTY:** আপনি যে ruling দিয়েছেন, তাতে আমি জানতে চাই যে কোন সদস্য এই মুহূর্তে যদি না কথা বলে থাকেন তাহলে সভাপতি মহাশয় সেই সদস্যকে তাহা প্রত্যাহার করবার জন্য কি আদেশ দিবেন ?

**Mr. DEPUTY SPEAKER:** I will see the relevant portion of the report because I have not heard the exact words used by the honourable member. I have already said that the expression is improper and it will be my duty to see whether this expression should form part of the proceedings or not.

**The Hon'ble Khan Bahadur HASHEM ALI KHAN:** He should be asked what expression he actually used.

**Mr. DEPUTY SPEAKER:** I shall see the relevant portion of the report.

**Maulvi MAFIZUDDIN AHMED:** Sir, it would be absolutely futile to expect anything better from a Ministry of this type.

Sir, cultivators have been looked down upon by a so-called popular Ministry. Would you call him a popular Minister or a fascist Minister? I draw the pointed attention of the honourable Muslim M.L.A.'s opposite to the text of the outburst. They should take lesson from it.

Sir, what is the offence of the Muslim boys of the Comilla Victoria College? Their offence is that they are sons of cultivators. But a man of Khan Bahadur Karim's cult can little think that we feel proud that we are not the sons of parasites but sons of cultivators who earn their bread by the honest sweat of their brows. I assure Khan Bahadur Karim that the Muslim boys of the Comilla Victoria College do feel equally proud. They know full well that their forefathers Adam

delved and Eve span. But we stagger to think as to what we should call a man who disowns his paternity. It is left to the people for imagination.

Sir, students of every country are the future hopefuls of the nation. The Muslim students naturally follow the events drifting in the country. They genuinely believe in the Muslim League to be the only emancipator of Muslim India. They love it—they adore it with the blood of their life. They painfully watched the naked betrayals and treacheries perpetrated to the Muslim League by some stalwarts of Bengal. Naturally they could not see eye to eye with the edifice that stood on such betrayals and treacheries. If this be a sin, then I must confess that Muslim students are sinners like ourselves. What did the students after all do? They simply gave vent to their views regarding the present Ministry in a lawful way. Sir, would we take it that the Bengal Government have degenerated into a barbarous stage where expressions of individual views are crimes? The Muslim students have been most wantonly oppressed, repressed, persecuted and prosecuted. It has been really a rule of tyranny upon the Muslim students. The law of the jungle prevailed here and nobody's life was secure. The Muslim students and Muslim League workers were inhumanly tyranised right and left. The Muslim officers were thrown from post to pillar and from pillar to post. The whole atmosphere was surcharged with a dark curse. It would appear that the whole hell was let loose in the Muslim Bengal. Be that as it may, the country is taking stock of the atrocities and tyrannies and the day of reckoning is fast approaching.

Sir, I need hardly dilate on the abject utterance of Khan Bahadur Karim. I can only say this much that a tongue that utters such vile and ignominous things should be branded I do not know if the Hon'ble Minister is going to admit or deny the statement. Sir, I was taken aback when I came to learn from my friend Mr. Shahedah, M.L.A., that Khan Bahadur Sahib is going to deny the allegations. I would little dream that our Khan Bahadur Abdul Karim would degenerate himself into such a depth so soon. I can simply pity the man. It is cowardly to indulge in filth and dirt but it is doubly cowardly to deny such indulgence when confronted.

With these observations I commend my motion to the acceptance of the House.

**Mr. HARENDRA KUMAR SUR:** Sir, I beg to move that the demand of Rs. 1,71,00,000 under the head "37—Education—General" be reduced by Rs. 100. The object of my motion is to raise a discussion about the interference by outside agency such as Police and other executive officers in the management and other internal administration of the educational institutions for purposes other than educational.

I propose to show just the nature of interference referred to in the motion. Sir, the District Board of Noakhali wanted the services of a *leading Congressman on the Education Committee. This gentleman is* a first class M.A. of the Calcutta University. He has established a High School and a Girls' Middle English School in his native village. His chief interest has always been in educational matters. But, Sir, he suffered imprisonment for having joined the Congress Satyagraha movement in 1930-31. The authorities did not approve of his nomination.

Then, Sir, the Head Master of a High School in the Noakhali district was asked by the Additional Deputy Superintendent of Police by a written slip to supply information about the movement of political suspects which was considered to be most humiliating and he refused to do so. The result was that orders of restriction were imposed upon him which compelled him to resign the post. The Head Master of the very same High School presided at a function under the auspices of the Congress and hoisted the National Flag. The matter was referred to the authorities by the Police. The result is that the grant-in-aid of this institution has remained suspended indefinitely. Very recently an election was held by the guardians of students of the Feni College and Babu S. M. Dutta, B.L., was elected as one of the representatives on the Governing Body but the election was not approved by the Education Department, presumably on confidential police reports. This gentleman suffered imprisonment for having disobeyed a particular order imposed upon him by the District Magistrate to the effect that he should have to report attendance at the thana. But now this gentleman has settled down in life and is practising as a lawyer at the Feni Bar. Instances of this nature can be multiplied. I believe the honourable members of this House who are connected with educational institutions and who take keen interest in educational matters of the province will agree with me that such acts of interference are very common nowadays. From these facts it seems to me that the policy of the Government is that every precaution should be taken to see that the idea of nationalism may not creep into the sacred precincts of educational institutions and that the young minds are not corrupted. It has therefore become necessary to eliminate from the staffs and Managing Committees and Governing Bodies of educational institutions persons who are nationally-minded or connected with national organisations. How long will such acts of interference continue is a question for the present Government which to all appearances is a National Government to answer.

With these few words, I commend my motion to the acceptance of the House.

**Babu MADHUSUDAN SARKAR:** Sir, I beg to move that the demand of Rs. 1,71,00,000 under the head "37—Education—General"

be reduced by Rs. 100. The object of the motion is to raise a discussion about the necessity of a further annual recurring grant of Rs. 5,00,000 for the education of the Scheduled Castes of the province in consideration of inadequacy of the provision for the purpose in the budget.

The Scheduled Castes of this province form nearly one-fifth of the whole population. They are very poor and everybody knows that they are backward in education. Sir, to-day I could have shown by facts and figures their actual position with regard to their progress in education, I could have shown by facts and figures their numerical strength in the province, I could have shown by facts and figures their actual economic condition, and I could have shown by facts and figures their actual situation with regard to the political status in this province. It is well-known, Sir, to one and all specially the leaders of the House that due to the mischievous activities and mischievous propaganda of some organised bodies during the last census operations we have been deprived of that opportunity. Still, Sir, without any fear of contradiction by any side of the House I can say that the Scheduled Castes form nearly one-fifth of the whole population and that they are the poorest of the poor of all the sections of this province. They have the least percentage in education and least political consciousness. For the advancement of education of these Scheduled Castes the Government, nay, the Hon'ble Finance Minister had the kindness to repeat the current year's provision of Rs. 1,50,000 which has already been found quite inadequate for the purpose. Many of the poor but meritorious and deserving students of the Scheduled Caste community in schools and colleges have to go without any help and as a result they have to give up their studies, and it was well exposed on the 23rd of February on the floor of the House in reply to a question that many of the schools maintained by the Scheduled Castes in different districts had not been able to receive any grant for want of funds. As a result these schools are on the verge of extinction. Sir, if we look at the provision for the general education of the province we see that there has been an increase of 15 lakhs of rupees more than the amount to be spent during the current year in the budget for which I cannot but offer my thanks to the Hon'ble Finance Minister. But, Sir, in the case of the Scheduled Caste education the same amount of Rs. 1,50,000 has been repeated and this amount has already been proved inadequate and insufficient for the education of the Scheduled Castes of this province. Our Cabinet claim to be fair and equitable and not reactionary and they claim to do justice to all communities. Is it their fairness, is it their equal treatment and is it their justice to provide the same amount which was already proved to be inadequate and insufficient for the education of Scheduled Castes who form one-fifth of the whole population?

Sir, the previous Cabinet might have done some injustice to the poorer sections of the community but the present Cabinet which is a Progressive Party cannot be expected to do the same injustice. The present Cabinet is very anxious for achieving communal harmony although the Cabinet should know that communal harmony is not a commodity which could be had by the process of sale and purchase. Communal harmony is possible only when all sections of the people have fair dealings, a mutual understanding and toleration. The main differences amongst the communities are economic and unless and until the economic condition of the Scheduled Caste community is improved that difference will remain. Unless and until all the peoples are given their proper shares in the rights and privileges of the country, communal harmony is impossible.

In the matter of education, the Scheduled Castes have been placed in a very backward position. All the other communities have the privilege of having great men amongst themselves and they from time to time have made big donations for the education of the children of their respective communities. But, Sir, I have already pointed out that the Scheduled Castes are very poor. There are no rich people amongst them who can contribute huge sums of money for the education of their children. It is sometimes true, Sir, that some of the big men have donated to the general fund for education but even there the Scheduled Castes have got very little share. I find from the Red Book, Sir, that the education fund is mainly spent on the pay of officers and establishments. It has been very ably explained on the floor of this House from time to time that there is a scarcity of officers for Scheduled Castes' education and it has been pointed out already that many of the schools meant for the Scheduled Castes in Scheduled Caste areas have not been given any grant and the result is that these schools are all in a miserable condition. A big portion of the education fund is going to be spent to maintain the construction and repairs to school buildings but no grants for Scheduled Castes' school buildings are available. Sir, the Scheduled Castes form about one-fifth of the total population of Bengal but only Rs. 1,50,000 has been provided for their education.

**Mr. CHAIRMAN (Mr. David Hendry):** I am sorry your time is up and you must now resume your seat.

(The member then resumed his seat.)

**KHAN SAHIB MAULVI AMINULLA :** মাননীয় ডেপুটি স্পীকার মহোদয়, এবারকার এডুকেশন বাজেট যেভাবে রচিত হইয়াছে উহার সম্বন্ধে আমি বৃথা আড়ম্বর না করিয়া শুধু এইটুকু বলিতে চাই যে এই বাংলা দেশে ৬ কোটি লোকের বাস, তাঁহাদের মধ্যে শতকরা ৮৫ জন দরিদ্র এবং গ্রাম দেশে বাস করেন। তাঁহাদের সন্তানসন্ততিগণ গ্রামের

পাঠশালায় প্রাথমিক শিক্ষা অর্জন করেন। মাননীয় মন্ত্রীমহোদয় তাহাদের শিক্ষার জন্য ৫ লক্ষ টাকা অতিরিক্ত ব্যয় করার ব্যবস্থা করিয়াছেন যাহা এই বিরাট দেশের প্রাথমিক শিক্ষার জন্য অতি সামান্য এবং নগণ্য।

স্যার, বাংলা সরকার প্রাথমিক শিক্ষা প্রচলন উপলক্ষে বাংলার জনসাধারণের উপর ৩ প্রকারের ট্যাক্স ধার্য্য করিয়াছেন। প্রথম, জনসাধারণের জমির উপর ট্যাক্স করা হইয়াছে, অর্থাৎ যে গ্রামে একখানি স্কুল মঞ্জুর করিয়াছেন সেখানে তাহাদের ৫ গণ্ডা জমি দানপত্র করিয়া দিতে হইবে। দ্বিতীয়, তাহাদের ঘরের উপর ট্যাক্স করিয়াছেন, অর্থাৎ তাহাদের একখানা প্রকাণ্ড ঘর করিয়া দিতে হইবে। তৃতীয়, তাহাদের জমির খাজনার উপর ও সেসের উপর ট্যাক্স করিয়াছেন। বাংলার জনসাধারণ এই অর্থসঙ্কট কালে ৩ রকমের ট্যাক্স দিয়া তাহাদের ছেলেমেয়েদের শিক্ষা দিতে সম্পূর্ণ অক্ষম। অতএব আমি আশা করি সরকার অন্যান্য বিভাগের ব্যয় কমাইয়া জনসাধারণের জন্য বিনা করে বাধ্যতামূলক প্রাথমিক শিক্ষার প্রচলন করিয়া বাংলাকে ধ্বংসের পথ হইতে বাঁচাইবার চেষ্টা করিবেন।

স্যার, বাজেটে Secondary Educationএর জন্য যথা প্রয়োজন টাকা বরাদ্দ করার ব্যবস্থা করেন নাই। মফঃস্বলের হাই স্কুলগুলির সাহায্য অতি সামান্য, তাই উপযুক্ত শিক্ষক ও শিক্ষার ব্যবস্থা হইতেছে না। বহু recognised হাই স্কুল ভাল ফল কর সত্ত্বেও সাহায্য পাইতেছে না—যথা, নোয়াখালীর মাইজদি স্কুল ইত্যাদি। আমি প্রস্তাব করিতেছি যে যদি সরকার বর্ত্তমান সময়ে অতিরিক্ত টাকা ব্যয় করিতে না পারেন তবে প্রত্যেক জেলা স্কুলকে সাহায্যপ্রাপ্ত স্কুলে পরিণত করিয়া ও মফঃস্বলের হাই স্কুলগুলির সাহায্য বাড়াইয়া দিয়া স্কুলগুলি সুপরিচালিত করার ব্যবস্থা করিবেন।

স্যার, এই বাংলাদেশে প্রায় ৩ কোটি ৩০ লক্ষ মুসলমানের বাস। তাহাদের নৈতিক শিক্ষা নির্ভর করে আরবী শিক্ষার উপর। এই শিক্ষা old scheme মাদ্রাসাযোগে হইয়া থাকে। মাননীয় মন্ত্রী মহোদয় উক্ত মাদ্রাসাগুলির সাহায্যের জন্য মাত্র ২০,০০০৲ টাকা সাবেকমত দিয়াছেন, অথচ মাদ্রাসার সংখ্যা পূর্ব্বাপেক্ষা অনেক বাড়িয়া গিয়াছে। ইহা বিরাট মুসলিম সমাজের নৈতিক শিক্ষার জন্য ছিনিমিনি মাত্র, অথচ কলিকাতা মাদ্রাসায় মুষ্টিমেয় ছাত্রের জন্য হাজার হাজার টাকা ব্যয় করিতেছেন। মফঃস্বলের মাদ্রাসা-গুলি কলিকাতা মাদ্রাসার তুলনায় প্রত্যেক বৎসর অতি উত্তম result করিয়া আসিতেছে। আমি আশা করি বাংলা সরকার কলিকাতা মাদ্রাসাকে সাহায্যপ্রাপ্ত মাদ্রাসায় পরিণত করিয়া ঐ টাকাগুলির দ্বারা মফঃস্বলের মাদ্রাসাগুলির সাহায্য বাড়াইয়া দিয়া দরিদ্র ছাত্রদের লেখাপড়ার সুবন্দোবস্ত করিবেন।

স্যার, আমি আর একটী কথা বলিতেছি। কিছুদিন হইল মাননীয় প্রধান মন্ত্রী মহোদয় এই প্রতিষ্ঠানগুলির উন্নতিকল্পে একটী Arabic দারুল উলুম গঠন করার জন্য একটী কমিটী করিয়াছিলেন। কমিটী তাঁহাদের কর্ত্তব্য কার্য্য যথাসময়ে সমাধা করিয়া

রিপোর্ট দিয়াছেন, কিন্তু কমিটীর রিপোর্টকে কার্য্যে পরিণত করার জন্য এযাবৎ কোন সাড়া পাওয়া যাইতেছে না। আমি আশা করি জনপ্রিয় মন্ত্রী মহোদয় যথাশীঘ্র উক্ত দারুল উলুম গঠন কার্য্যে মনোযোগ দিবেন।

স্যার, বাজেটে দেখা যায় যে সরকার ব্রতচারী সমিতিকে ১০ হাজার টাকা দিয়াছেন। এই সমিতির কাজ আপত্তিজনক। আমি বলি এই সমিতির দ্বারা জাতির উন্নতি সাধন হয় না, তাহা যদি হইত তাহা হইলে বায়স্কোপ থিয়েটার দ্বারাও জাতির উন্নতি সাধন হইত। বর্ত্তমান সময়ে স্কুলে এমনই বহু রকম ব্যায়াম প্রচলিত আছে। এই শিশু বালকের ক্ষুদ্র প্রাণের উপর এতগুলি বিষয় চাপাইয়া দিলে তাদের মুখ্য উদ্দেশ্য বিঘ্ন হইবে। সুতরাং আমি নৈতিক, আর্থিক ও মানসিক কারণে এই সমিতিকে অর্থ সাহায্য করা সম্বন্ধে ঘোর আপত্তি করিতেছি। এই টাকাগুলি ছেলেদের টিফিন অথবা প্রাথমিক শিক্ষার জন্য ব্যয় করিলে দেশের অধিক উপকার সাধিত হইবে।

**Mr. AHMED HOSAIN:** Mr Deputy Speaker, Sir, I want to speak a few words on the main demand and while doing so I wish to concentrate on free primary education only.

Sir, this year too we find that an additional sum of only 5 lakhs of rupees has been allotted for primary education. The allotted sum will hardly be sufficient to supplement the cess income of one or two School Boards What will happen to other Boards which are bound to be handicapped for want of money? When and how will free primary education be introduced in the remaining districts of the province? Sir, the history of the introduction of free primary education in this province has been a chequered one like the life history of the Hon'ble Mr Fazlul Huq who has so long been in charge of the portfolio There has been want of consistency and definite policy throughout. Urged to take action in the matter of introduction of free primary education by the insistent demand of the country and its representatives in the Legislature from the very beginning of functioning of the constitution, he prevaricated, fumbled and proceeded only in a half-hearted manner His extravagant promises to the electors to give compulsory free primary education without taxation was responsible to a great extent for his halting and half-hearted policy. The Act was enforced and cesses introduced in many districts only to be suspended on the slightest pretexts. Till the middle of the year 1940 we had the scheme working only in eight districts of the province. Mr. Fazlul Huq has recanted his promise. He said in his Budget Speech of 1940, "I freely confess that although at one time I thought that primary education could be enforced without any taxation whatsoever, experience has taught me that it is almost an unattainable position". He says later in the speech, "Now having come to the decision that there should be a tax, the best thing that we can do is to go ahead with the scheme under the Primary Education Act that we have got in hand". In spite of this decision—this

promise to go ahead—we still find nearly half the districts of Bengal going without the benefit of the scheme. Even in the districts where the scheme is working the Boards are so handicapped for want of money that only a percentage of the selected schools could be taken up and that also by instalments. In my own district, viz., Rangpur, a very anomalous state of affairs has arisen. Only 20 per cent. schools have been taken up by the Board. In the remaining schools both the teachers and the students have become uneasy and restless and education is suffering thereby. The boys whose guardians are all paying cess are refusing to pay fees in non-Board schools and the teachers, many of whom are trained and competent, are finding it impossible to serve only on meagre stipends. We now learn that cesses are going to be suspended in some more districts, viz., Rajshahi, Dinajpur and Howrah. So far as Howrah is concerned, cess is not imposed as Howrah is self-sufficient as regards free primary education and it will require no help from the Government.

Sir, this unhappy state of affairs can be ended if the Government be thorough, consistent and definite in its policy. Mr. Fazlul Huq as head of the late Cabinet gave us definite assurances that the proceeds from the sales tax will at the first instance be utilised for implementation of the scheme of primary education. That tax is yielding a considerable income for the exchequer. In spite of that why such meagre sum has been allotted for primary education? Why almost every year vast sums of money allotted for training of teachers remain unspent? This year too we find in the Red Book a huge saving of 1 lakh 43 thousand due to reduction of training centres for primary school teachers. Why this saving due to reduction in training centres? How can the scheme be pushed through without trained teachers? Sir, I ask the present Hon'ble Minister in charge of the Education Department why this money has been saved? Does not this point out that Government has no definite scheme and policy and that the affairs are being mismanaged?

The Act of 1930 contemplates progressive expansion of the primary education so as to make it compulsory in a specified time. I ask him what is his plan with regard to primary education? How many years he will require to introduce it in the whole of Bengal? In how many years he will be able to make it compulsory? Sir, the country demands that all prevarications and half-heartedness and bungling must cease in this matter. Sir, I hope the Hon'ble Minister will satisfy me with regard to the points I have raised.

**Mr. CHAIRMAN (Mr. David Hendry):** The position is that a list has been left by the Deputy Speaker and I see that it is exhaustive. But I have a request from Mr. Shahedali to reply to some allegations made early in the debate. I will ask the honourable member to be as non-contentious as possible.

**Mr. SHAHEDALI:** Mr. Chairman, I must thank you for giving me an opportunity to disprove the allegation made by one of the members in the Opposition against the Hon'ble Minister. I am really surprised to find that a man without principle is going to make allegation against a man of principle. When the Ministry was formed the honourable member for the interests of the Muslims and for the interests of the Muslims of his constituency wanted to go over to the side of Progressive Coalition. Then when he went to Comilla he had to revise his opinion. I do not know whether he will undergo another somersault in the near future.

Now, Sir, the honourable member knows that Khan Bahadur Abdul Karim, if not the Hon'ble Khan Bahadur Abdul Karim, was associated with the Krishak Proja movement for a long time and he had upheld the cause of the Krishak Projas in the Upper House. You know, Sir, that he was a member of the Momin Committee of Education in Tippera district and he has given stipends to the students of the Chittagong Medical School and also stipends to students of the Dacca University. May I know whether the honourable member Mr Mafizuddin Ahmed has given any stipends to students of Comilla or Khan Bahadur Abidur Reza Chowdhury has given any stipends to the Muslim students of Chittagong or of Comilla? Now, Sir, they say that the Hon'ble Minister made some statement in the presence of somebody. I am the last person to believe that a man like the Hon'ble Khan Bahadur Abdul Karim can make any such statement. If he had made any statement I would be the first man to protest against it. I say, Sir, that in order to serve the interests of their own party they have made out allegations so far as Noakhali, Tippera and Chittagong are concerned. These have been definitely repudiated by the members on this side. They have done this only to make their party popular and to get the vote in their favour.

Now, Sir, I want to show that when the Hon'ble Khan Bahadur Abdul Karim went to the district of Tippera the students welcomed him and gave him an address at Comilla. In that address they stated—

"তোমার পদধূলিতে পবিত্র করিয়াছ তজ্জন্য কুমিল্লার মুসলিম ছাত্রসমাজ ধন্য।"

Further, so far as the Education Minister is concerned they stated—

"আমরা জানি মাননীয় শিক্ষামন্ত্রী-মহোদয়ের স্নেহ ও অনুকম্পা এই দরিদ্র ছাত্রসমাজের উপর অন্তঃসলিলা ফল্গুর ন্যায় চিরকাল বহিয়া আসিতেছে, উহা হইতে আমরা কদাপি বঞ্চিত হইব না। শিক্ষামন্ত্রীমহোদয় আমাদের কুমিল্লার অধিবাসী। তাঁহার কর্ম্মময় ও গরীয়ান জীবনের সহিত কুমিল্লা ওতঃপ্রোতঃ ভাবে জড়িত। তাঁহাকে আমাদের সাদর সম্ভাষণ।"

This statement was made by the student community in a public meeting after the alleged utterance is said to have been made by the Hon'ble Minister there. Had there been any such statement there could not have come any such welcome.

Now, Sir, the only reason why this gentleman is going to make the statement is this that he has not been recommended to be a member of the Kazi Committee. Had he been allowed to be a member, there would have been no such question, no such cut motion and no such agitation.

I beg to mention only one thing more and I have finished. There is a large saving from the training schools. A large amount was not spent. There was a time when each student of the training schools used to get Rs. 10 per month for his food. That sum has been reduced to Rs. 7. I request the Hon'ble Minister to see that Rs. 3 more is given to these poor students and thereby show sympathy to the sons of the agriculturists and other poor people of the province.

One thing more I want to say about. The other day my friend Mr. Dhirendra Nath Datta said that I would say something about bribery in the district of Tippera. It is useless to speak about bribery. It is so very rampant that the only thing for us to do is to reorganise the whole system to do away with bribery and corruption.

[Mr. Chairman (Mr. David Hendry) then called on Mr. Abdur Raschid Mahmood to speak.]

**Rai Sahib ANUKUL CHANDRA DAS:** On a point of order, Sir. I have got my motion No. 46. Can a member be deprived of his right to move a cut motion?

**Mr. CHAIRMAN (Mr. David Hendry):** You were not here. If you are not here, we cannot go back to the proceedings.

**Mr. ABDUR RASCHID MAHMOOD:** Mr. Chairman, Sir, it is proper education that teaches a man how to be an ideal citizen; it teaches how to preserve health and how to acquire wealth; in a word, it is the first thing required for the all-round advancement of a nation. Primary education is the stepping stone to the very structure of every nation. To spread primary education throughout the length and breadth of the province means the amelioration of the hopelessly wretched condition of the unfortunate poor masses of Bengal—masses who are yet steeped in the darkness of dangerous ignorance, who yet did not learn to appreciate the dire necessity of the light of education

that may help them how to live in a decent healthy way. Being shut out of the light of education they are living like so many cats and dogs. But—

"Full many a gem of purest ray serene,
Dark unfathomed caves of ocean bear,
Full many a flower is born to blush unseen,
And to waste its sweetness in the desert air."

Sufficient means and proper opportunities given, there might have been more great persons of outstanding merits and personalities from amongst the rural population of Bengal. The previous Government had taken up the scheme of primary education and it is expected that the present Government will follow the footsteps of its predecessor. I would very strongly urge the supreme necessity of immediate introduction of free and compulsory primary education in each and every district of Bengal. Without making the system compulsory, the real object of the scheme will be frustrated. The poor rural people do not sufficiently realise the vital importance of the scheme. They are paying the education cess and taxes but they are not taking any advantage of the same. Moreover, they being mostly poverty-stricken and generally, as a habit, count on the help of their young boys in the matter of earning their means of livelihood. They are not accustomed to sacrifice their nominal present gain for a greater and nobler future object. I therefore request the immediate introduction of free and compulsory primary education.

Sir, the unfortunate teachers of the primary schools are very ill-paid and as such they are quite unable to make both ends meet even in a tolerable way and they are generally neglected as man of no importance. Their low standard of living has got a very bad effect on the minds of the young pupils, who also in their turn begin to have little regard for the teachers and to pay little attention to their instructions, which fact may have a very serious effect on the future career of the young students. Now, a teacher of the primary schools gets a salary of Rs. 10 to Rs. 16 per month which is extremely inadequate. I suggest that the minimum monthly pay of a teacher of a primary school should be fixed at Rs. 30, so that he may pay his undivided attention to his noble occupation.

Sir, I now turn to the inspecting staff. In order to change the whole tone of primary education in the rural areas, the jurisdiction of the sub-inspectors of schools should invariably be reduced. In the existing arrangement a sub-inspector is in charge of 200 to 250 schools, and it is not possible for him to conduct proper supervision over these schools. It is not possible for a sub-inspector to inspect all the schools in his charge once a year. It is my suggestion that no

sub-inspector of schools should be placed in charge of more than 50 schools and he should be asked to inspect every school once in every three months.

**Mr. CHAIRMAN (Mr. David Hendry):** I would suggest that Rai Sahib Anukul Chandra Das may speak generally rather than on his own cut motion.

**Rai Sahib ANUKUL CHANDRA DAS:** Mr. Chairman, Sir, I would like to speak a few words regarding Scheduled Castes' education in this province. It will appear from the budget that a sum of Rs. 5 lakhs was provided in the year 1938-39 for the education of the Scheduled Castes for which our thanks are due to the Hon'ble the Chief Minister. Another amount of Rs. 1,50,000 was provided subsequently for which we also thank the Government of Bengal. If, however, you compare this amount with the grants in other provinces, you will be surprised to see how meagre the amount is. I shall only give you some figures from the Madras Government. In 1937-38 they allotted a sum of Rs. 10,41,611 for the Scheduled Castes' education which was increased in the revised estimate to a sum of Rs. 11,47,700, and in the budget for 1939-40 they allotted a further sum of Rs. 11,68,900 for the same purpose. So, the amount granted in Bengal is inadequate in comparison with the amount allotted in Madras.

As to the grant of Rs. 5 lakhs, you know that a Committee called the Scheduled Castes' Education Committee was appointed to advise regarding the expenditure for Scheduled Castes' education. Of this sum of five lakhs of rupees not a pie is left now and we are unable to pay stipends to some of our students this year for want of funds. I shall now give you figures to show how the whole amount of Rs. 5 lakhs has been allotted. I shall give you the different heads of the expenditure of this money for the education of the Scheduled Castes. Under Government order, dated the 12th January, 1939, the following amount was sanctioned:—

| | Rs. |
|---|---|
| Grant for building a hostel for Scheduled Caste students at Barisal ... | 30,000 |
| Grant for building a hostel for Scheduled Caste students at Comilla ... | 20,000 |
| Stipends to college students ... | 20,000 |
| Building grants to High English Schools ... | 75,000 |
| Building grants to Middle English Schools ... | 75,000 |
| Special grants to High English and Middle English Schools ... | 50,000 |
| Miscellaneous ... | 20,000 |

This gives a total of Rs. 2,90,000.

Under Government order, dated the 27th July, 1939, the following amount was sanctioned:—

| | Rs. |
|---|---|
| Additional grant for hostel at Comilla ... | 5,000 |
| Stipends to College students ... ... | 20,000 |
| Stipends to High English School students ... | 72,000 |
| Grants for hostel buildings for schools and colleges ... ... ... | 20,000 |
| Total ... | 1,17,000 |

Subsequently under Government order, dated the 30th January, 1940, the following amount was sanctioned:—

| | Rs. |
|---|---|
| Supplying slates and books ... ... | 10,000 |
| Grants to Scheduled Caste hostels ... | 16,000 |
| Stipends for non-stipendiary B. T. students ... ... ... | 1,080 |
| Scholarships for 1939-40 ... ... | 7,200 |
| Scholarships for 1940-41 .. ... | 20,000 |

Then under Government order, dated the 4th March, 1940, there was a grant of Rs. 12,240 for additional stipends to College students. Then under Government order, dated the 27th March, there was a grant for Post-Graduate stipends to Scheduled Caste students amounting to Rs. 1,200, and for Science and Geography apparatus Rs. 8,000—total Rs. 9,200. Then there is a further additional grant of Rs. 2,500 for Scheduled Caste hostel at Barisal under Government order, dated the 6th August, 1940. There is also another grant of Rs. 13,000 under the head "Miscellaneous" under Government order, dated the 29th August, 1940. This brings the grand total to Rs. 4,98,220.

From the above it will be seen that a sum of Rs. 1,780 was left as a balance of Rs. 5 lakhs and this amount was also allotted in the last meeting of the Scheduled Castes' Education Committee. Thus, you will find, Sir, that allotments had already been made and they have been spent under different heads except those under "Building" grants". Conditions are attached to "Building grants" such as that private contributions must be forthcoming and that the plans and estimates must go to the Executive Engineer, Public Works Department and Public Health, for sanction before they could be taken up. This means great delay in the execution of the works. Therefore "Building grants" are expected to be spent in the course of this year, but it must be seen that the total sum has already been allotted and

we are now running short of funds. In fact, next year there will be extreme difficulties in paying grants-in-aid to Scheduled Caste High English and Middle English Schools for want of funds. A sum of Rs. 25,000 has been released in the current year from the head "Comilla hostel building" and added to Rs. 17,307 sanctioned for "Grants-in-aid", thus making a total of Rs. 42,307 for making adequate payment to our High English and Middle English Schools. Next year we require at least Rs. 5 lakhs. The Scheduled Castes' Education Committee recommended a recurring grant of Rs. 5 lakhs long ago which has not yet been accepted by the Government. No grant-in-aid would be paid, under the circumstances, to the Scheduled Castes' High English and Middle English Schools in the next year for want of adequate provision in this budget.

(On reaching the time-limit the honourable member resumed his seat.)

**Mr. W. C. WORDSWORTH:** Sir, I wish to make certain observations about certain of the matters that have been brought before the House in this debate, and specially about Mr. P. Banerji's motion that Government schools should be deprovincialised. That is a matter about which I have had reason to think for the last 20 years or so. When I had the dignity and responsibility of an official, I was twice called upon to give my opinion on this to retrenchment committees and my opinion given as Director of Public Instruction after careful enquiry throughout the Government Department of Education was that this would be a contribution to the welfare of education. I spoke in my individual capacity, and though I found much support for that view within the department there was considerable opposition; it is almost unnecessary to remark there was no sympathy for this view inside the Government schools. My view, however, is not entirely the view of everyone in this House or everyone who advocates this change. I think there is a common assumption that if you can get rid of Government schools you at once have all the money that they cost saved for other purposes. But when Government schools are got rid of—and I believe in the natural course of events they will disappear as Government schools some day—they will remain as private schools under responsible committees which would be morally entitled to Government grants for carrying them on at a good level of efficiency. Further, it will be necessary to make proper provision for accrued and accruing rights of all teachers who, at the time, were employed in them. With that reservation, I would agree that there would be a considerable saving which would be available for the general grant-in-aid fund of the province.

But the reasons why I have always believed that this change would be beneficial to education are these. In the first place, the reasons why Government schools were set up in certain places have passed away.

They were intended to be guides and models, but those who had to follow have long ago got in front, so that to-day out of about 1,500 high schools in this province about 50 are Government schools. The only reason therefore for maintaining these schools would be if they were the best schools in the province, if they were models to which other schools looked for inspiration. Now, some of these 50 schools are among the best 50 schools in the province. But it would be absurd to say that these 50 schools are the 50 best schools in the province.

When the change is made, it will be necessary to preserve certain special features in relation to special schools. There will be a moral obligation to recognise and honour certain conditions that were attached to the founding of such schools as the Hindu School, the Sanskrit School, and the Calcutta Madrassah in the nature of the circumstances that brought them into existence. There are reasons why they should be specially treated.

The second reason why I think this change must come about is that this kind of change has come about in most civilised developing countries which take pride in their education. It has come about in most countries that the Education Department works not by directly managing, controlling and maintaining schools, but by issuing pamphlets, by defining courses of study, by inspection of schools, and especially by the use of grant-in-aid fund, the grants being given on certain terms whose observance makes for the welfare of the schools and of the country.

Now, taking all the possible provisions in this Budget and making this change that has been suggested, we should have about Rs. 30 lakhs for grants to secondary schools and with 30 lakhs of rupees an authority—I hope that authority will be a Board of Secondary Education—could influence greatly and splendidly the course of secondary education, for it is in the high schools that the battle of higher education must be won, for two reasons above all—(1) that University Studies cannot be successfully carried on unless students have been well trained in intellectual habits in schools, and (2) because the larger proportion of our boys of secondary schools do not go on to the University and, therefore, the equipment in intellectual habit and knowledge with which they have to face their life is the equipment that is given to them in their secondary schools. It is, therefore, a moral obligation on all, on the Government, on every community, and on the nation at large, to see that the best is done for and inside our secondary schools.

The third reason why I think this change must come about is this: It is embarrassing and without profit that there should be two classes of schools which pretend to be different but are different only in one consideration, that the teachers are paid in different ways. They do the same work, they are organised in the same way, they work for the same

examinations, their pupils go through the same courses or go out into life in the same way afterwards. When a Board comes, the Board would, I think, find it difficult to maintain this division, this bifurcation of schools, which means nothing except the little that I have said. I think therefore that the development we should contemplate is the unification of the schools in one system under one control, and the supervision and direction of this large secondary system especially through inspection and through a grant-in-aid policy. At present our grant-in-aid system is higgledy-piggledy. It hardly deserves the name of a system. Schools of the same degree of excellence, of the same needs have to be treated in different ways. One perhaps has a good grant; another has a small grant; another has no grant at all because there is no money for it. Instead of 30 lakhs, I should like to see the figure at 40 lakhs, I should like to see it at 50,00,000, I should like to see nearly all the money in the Education Budget given out in grants-in-aid to colleges, secondary schools, primary schools and technical schools. With a large grant-in-aid we might work out a system whereby schools might be given differing grants according to their needs, according to their size, according to their condition, grants that are based upon one common average. If we can give for a secondary school an average grant of Rs. 2,000 a year, it would be a boon to all engaged in education.

I should like to make one final remark about primary education. We have evidence from time to time that progress is being made. We have had an answer to a question this morning which tells us that 19 boards have been set up in the districts and that a very large sum of money has been spent. We want more and we hope to see more. Good primary education is one of the blessings you can give to a country. It is one of its fundamental needs. But may I say once more that we should not delude ourselves when we talk, as we do and as we usefully do, about free, universal and compulsory primary education? In our conditions, so far as we can see them, there never will be the money to spare in Bengal for a free, universal and compulsory system of primary education. Our primary education is the education in villages where the rateable capacity, where the potentialities of income are small, and yet where the children are very much in need of education. It is an ideal our education should be free, should be compulsory and should be universal. Let us when we use these words remind ourselves in our own minds that they are excessive in relation to our conditions. Let us when working towards this ideal be chary in blaming those who cannot quickly bring about the state of affairs that we all desire to see but have not the resources for.

**Mr. NIKUNJA BEHARI MAITI :** মি: ডেপুটী স্পীকার। আমাদের এই বাজেট সম্বন্ধে যে আলোচনা হয়েছে এবং বাজেটের ভিতরে যা দেখ্‌লাম তাতে অত্যন্ত দুঃখের সঙ্গে বল্‌তে হচ্চে যে একটা জিনিসের বড়ই অভাব রয়েছে। সেটা হচ্চে এই যে কোন

স্থানে এই বাংলা দেশের আদিম অধিবাসীদের সম্বন্ধে যে কিছু করা দরকার তা বাংলার গভর্ণমেণ্ট অনুভব করেন না। বাংলার বনে জঙ্গলে, পাহাড়ে পর্ব্বতে যে সমস্ত প্রাচীন আদিম অধিবাসী আছে তারা নানারূপে—কি হিন্দু, কি মুসলমান—সকলের দ্বারা সমভাবেই অবহেলিত হয়ে আসচে। সেই যে সাঁওতাল, চাক্‌মা কিম্বা গারো এদের সম্বন্ধে আমাদের বাজেটে কোন ব্যবস্থাই নাই এবং কোন মেম্বর কোন motionএর দ্বারা এ জিনিসটা আনেন নি। Scheduled castesএর এডুকেশনের জন্য যে চেষ্টা হচেচ সেটায় আমি খুব সুখী। মুসলমানেরা আরও বেশী শিক্ষার প্রসার লাভ করুন এটা আমরা চাই। বাংলা দেশে Caste বা বর্ণ হিন্দুদের মধ্যে যাঁরা নিম্নে পড়ে রয়েছেন তাঁরা শিক্ষা বেশী পান এটা আমরা চাই। বালিকারা শিক্ষাতে অগ্রসর হয় এটা আমরা চাই এবং প্রাপ্ত বয়স্ক কি পুরুষ কি নারী সকল শ্রেণীর লোক শিক্ষিত হউক এটা আমরা চাই। কিন্তু সর্ব্বাপেক্ষা শিক্ষাদান দরকার সেই যে ভারতবর্ষের আদিম অধিবাসী তাদের যাদের সম্বন্ধে আমরা সম্পূর্ণ রকম উদাসীন আছি। আমি মন্ত্রী মহাশয়ের দৃষ্টি সে দিকে বিশেষভাবে আকর্ষণ করচি এবং আমি তাদের সম্বন্ধে বলি যে বর্দ্ধমান বিভাগে তাদের সংখ্যা কম নয়—৬,২৯,০০০, রাজসাহী বিভাগে ৬,১১,০০০; চাটগ্রাম বিভাগে ২,৩২,০০০, প্রেসিডেন্সী বিভাগে ১,০১,০০০, এবং ঢাকা বিভাগে ৫৭,০০০। এই যে আদিম অধিবাসী এদের নাম—

আগরিয়া, অসুর, বনযোগী, ভুমিয়া, ভুমিজ, বিরহোর, বিঙিয়া, চাক্‌মা, গারো, হো, কাগবী, কাউর, খাসি, খাং, কোদা, কোরাওয়া, কুর্কী, লেপ্‌চা, লোধা, লুসাই, মেচ, ম্রো, মুণ্ডা, নাগেসরা ওরাঁও, বাত্তা, সাঁওতাল, টিপারা, টোটো, তুরী।

এদের ভিতর শিক্ষার প্রসার হচেচ এই রকম:—

| | সংখ্যা। | লেখাপড়া জানা। | শতকরা। |
|---|---|---|---|
| চাক্‌মা .. | ১,২৯,৯৩১ | ৪,৩৬৮ | ৩$\frac{১}{৩}$ |
| গারো .. | ৩৮,২১০ | ৪০২ | ১ |
| মুণ্ডা .. .. | ১,০৮,৬০৩ | ২,২৪৫ | ২ |
| ওরাঁও .. .. | ২,২৭,৩৪৩ | ৩,৫৭৪ | ১$\frac{১}{২}$ |
| সাঁওতাল .. | ৭,৯৬,৬৩৪ | ৫,৬৮৬ | $\frac{২}{৩}$ |
| এদের সঙ্গে তুলনা করলে দেখা যাবে— | | | |
| ধোবী .. .. | ২,২৯,৬০৮ | ১৮,৬২১ | ৮ |
| ডোম .. .. | ১,৪০,০৬২ | ২,৭৭৯ | ২ |
| নমঃশূদ্র .. .. | ২০,৯৪,৯৩৬ | ১,৩৯,০১৬ | ৬$\frac{৩}{৪}$ |
| চামার .. .. | ১,৫০,৪৫৮ | ৬,৮০৬ | ৪$\frac{১}{২}$ |

আমি একথা বল্‌চি না যে Scheduled castএর লেখাপড়া শিখ্‌বার আবশ্যকতা নাই, তার যথেষ্ট আবশ্যকতা রয়েছে। কিন্তু তার সঙ্গে সঙ্গে এই যে বাংলাদেশের আদিম অধিবাসী এদের যাতে লেখাপড়া শেখার ব্যবস্থা হয় এবং সেটা যদি করা হয় তাহ'লে ভাল হয়। এ্যাংগ্লো-ইণ্ডিয়ান ও ইউরোপীয়ানদের জন্য আমাদের বাজেটের ভিতরে আলাদা একটা ভাগ রয়েছে—তাদের জন্য খানিকটা বরাদ্দ রয়েছে। আমরা যদি মানবতার দিক দিয়ে অনুভব করি যে সমস্ত বাংলাদেশের উন্নতি তখনই হবে যখন যারা নীচে পড়ে আছে তাদের টেনে উপরে আন্‌তে পারা যাবে, যারা শিক্ষার আস্বাদ পায়নি তারা শিক্ষা পাবে, তাহলে কেনই বা গারো, মুণ্ডা, ওরাঁও, সাঁওতাল বা চাকমা প্রভৃতির জন্য আলাদা বরাদ্দ ক'র্‌তে ২০।২৫ মিনিট সময় বরাদ্দ ক'র্‌তে পার্‌ব না বা তাদের জন্য special educationএর ব্যবস্থা কর্‌তে পার্‌ব না? খৃষ্টান মিশনারী বা অন্যান্য সমিতি যে তাদের শিক্ষার জন্য কিছু সাহায্য করে একথা অস্বীকার কর্‌বার উপায় নেই। কিন্তু আমরা বাংলা দেশের অধিবাসী হিন্দু এবং মুসলমান তাদের শিক্ষার জন্য কি ব্যবস্থা ক'রেছি? আমি এ সম্পর্কে আর একটা figure আপনাদের কাছে দিচ্ছি :—

গারো :—

| | | | | |
|---|---|---|---|---|
| হিন্দু | শতকরা | ১ জন | লেখাপড়া | জানে |
| ট্রাইব্যাল | ,, | ৬ ,, | ,, | ,, |

মুণ্ডা :—

| | | | | |
|---|---|---|---|---|
| হিন্দু | ,, | ২ ,, | ,, | ,, |
| ট্রাইব্যাল | ,, | ৪ ,, | ,, | ,, |
| ক্রিশ্চিয়ান | ,, | ১৮$\frac{১}{২}$ ,, | ,, | ,, |

ওরাঁও :—

| | | | | |
|---|---|---|---|---|
| হিন্দু | ,, | ১$\frac{১}{২}$ ,, | ,, | ,, |
| খৃষ্টান | ,, | ৮$\frac{৩}{৪}$ ,, | ,, | ,, |
| ট্রাইব্যাল | ,, | ১ ,, | ,, | ,, |

সাঁওতাল :—

| | | | | |
|---|---|---|---|---|
| হিন্দু | ,, | $\frac{২}{৩}$ ,, | ,, | ,, |
| খৃষ্টান | ,, | ১২$\frac{১}{২}$ ,, | ,, | ,, |
| ট্রাইব্যাল | ,, | $\frac{১}{২}$ ,, | ,, | ,, |

খৃষ্টান মিশনারীরা যে কাজ ক'রেছেন তার জন্য তাঁদের ধন্যবাদ দিতে পারি। তাঁরা যে ওদের শিক্ষার ব্যবস্থা করেছেন তার জন্য তাঁদের ধন্যবাদ, কিন্তু আমরা গভর্ণমেণ্টের তরফ থেকে বা হিন্দু এবং মুসলমানের তরফ থেকে কি ক'রেছি সেটা দেখা উচিত।

আমি মাননীয় মন্ত্রীমহোদয়কে বিশেষ কোরে অনুরোধ করি যে যদি তিনি এডুকেশন বাজেটে তাদের জন্য কিছু ব্যবস্থা না কোরে থাকেন তবে সেই ব্যবস্থা যেন করেন এবং আমরা সেটা সমবেতভাবে তাঁকে জানাই।

আর একটী কথা বোলে আমার বক্তব্য শেষ ক'র্‌ব। সেটা এই যে Secondary education দেওয়ার জন্য যে সমস্ত স্কুল রয়েছে তাতে free studentsএর সংখ্যা শতকরা বরাদ্দ কোরে দেওয়া হয়েছে। সেই জন্য বাংলা দেশের শতকরা ৯৫টী হাই স্কুলে ২টী কোরে খাতা থাকে। মন্ত্রী মহাশয় জানেন কি না জানি না, কিন্তু Inspecting staffএর গোড়া থেকে শেষ পর্য্যন্ত সকলেই জানেন যে শতকরা ৯৫টী হাই স্কুলে দুটী কোরে খাতা রয়েছে। খাতা রাখ্‌বার কারণ এই যে যে মাহিনা ছাত্রদের কাছ থেকে আদায় দেখান তার থেকে অনেক কম নেন। এটার প্রতিকার করার কি কোন ব্যবস্থা করা যায় না?

**Maulvi IDRIS AHMED MIA :** মাননীয় ডেপুটি স্পীকার মহোদয়! মাননীয় শিক্ষামন্ত্রীর শিক্ষার বরাদ্দ বিষয়ে আমাদের মালদহ জেলার শিক্ষার দুর্দ্দশা সম্বন্ধে আমার ১৬৪/১৬৫ নং ছাঁটাই প্রস্তাবের উপর দুই একটী কথা বলিতে চাই।

বাংলার ২৭টী জেলার মধ্যে আমাদের মালদহ জেলা লেখাপড়ার দিক দিয়া সর্ব্ব-পশ্চাদ্‌পদ। এখানে শতকরা পৌনে ৪ জন লোক মাত্র শিক্ষিত। যদি কলিকাতাকে একটী জেলা ধরা হয় তবে এখানে ১০০ জনের মধ্যে ৪৩ জন শিক্ষিত। মেদিনীপুরে ১৮ জন, হাওড়ায় পৌনে ২১, হুগলীতে ১৭, বরিশালে ১৪॥, নোয়াখালীতে ১০॥ জন। সময় অভাবে আমি এইভাবে সকল জেলার নাম দিতে পারিতেছি না। কিন্তু মালদহে একশতের মধ্যে মাত্র পৌনে ৪ জন লেখাপড়া জানে ইহাই আমার মূল কথা। অথচ পূর্ব্বের গভর্ণমেণ্ট দয়া কোরে এই জেলায় প্রাইমারী শিক্ষার ব্যবস্থা করা কোন একটা উচিত কাজ বলে মনে করেন নাই। এ জেলায় ৬ লক্ষ মুসলমান। মুসলিম সংহতি নিয়ে যারা খুব চীৎকার কোরে থাকেন এবং রোদন কোরে থাকেন তাঁরা এই ৬ লক্ষ মুসলিমের শিক্ষার অলঙ্কারের ব্যবস্থার জন্য বাংলার তহবিলে কোন ধাতু পান নাই কি? প্রাথমিক শিক্ষা কার্য্যকরী করা দূরের কথা স্কুল বোর্ড পর্য্যন্ত গঠিত হয় নাই। আমার প্রশ্নের উত্তরে বর্ত্তমান শিক্ষামন্ত্রী যে উত্তর দিয়াছেন তাহাতে আজ জান্‌তে পার্‌লাম যে এই গভর্ণমেণ্ট চেষ্টা কর্‌চেন মালদহ জেলায় প্রাইমারী এডুকেশন বোর্ড করবার জন্য। পূর্ব্ব গভর্ণমেণ্ট সকলের অধম জেলায় তা করেন নাই যদিও ১৭টা জেলায় তা করা হয়েছিল। বর্ত্তমান গভর্ণমেণ্ট কখন কর্‌বেন জানি না, তবে খোস-খবরের ঝুটাও ভাল। দেখা যাক তাঁরা কিছু করেন কি না। ওঁরা গতবারে কিছুই করেন নাই, বর্ত্তমান গভর্ণমেণ্ট কর্‌বার কথা দিয়েছেন। এ জেলায় যখন প্রাইমারী এডুকেশন য়্যাক্ট কার্য্যকরী হবে তখন প্রায় ২ হাজার ট্রেণিং প্রাপ্ত শিক্ষক লাগ্‌বে, কিন্তু মালদহে বর্ত্তমানে মোটামুটি ৫০০ জন ট্রেণিংপ্রাপ্ত শিক্ষক রয়েছে। অধিক শিক্ষকের ট্রেণিং দিবার ব্যবস্থাও নাই যেহেতু গোটা মালদহ জেলার একটী মাত্র ট্রেণিং স্কুল। মাননীয় প্রধান মন্ত্রী ও শিক্ষা মন্ত্রী অনুমোদন করবার পর আমি ১৯৩৯ সালের জানুয়ারী

মাসে আর একটী ট্রেণিং স্কুল করেছি। এবার ১২ জন ঐ স্কুল থেকে পাশ কোরেছে, পূর্ব্বে ২ বছরও পাশ করেছিল। অথচ এই ৩৯ মাসের মধ্যে মোট ৪ মাস গভর্ণমেণ্ট দয়া কোরে খরচ করেছেন, আর ৩৫ মাস আমাকে চালাতে হয়েছে। এই ছিল গত গভর্ণমেণ্টের মুসলিম সংহতি। বাংলার সকলের অধম অশিক্ষিত জেলার প্রতি দয়া ও দরদ। শিক্ষা বিষয়ে রাজসাহী বিভাগ সকলের পিছনে। এই বিভাগের জলপাইগুড়ি, দিনাজপুর ও মালদহে কোন কলেজ ছিল না। তিন বছরের প্রাণপণ চেষ্টা করিবার পর মালদহে ফজলুল হক আদিনা কলেজ দুই বৎসর আগে স্থাপন করেছিলাম। এই কলেজ কলিকাতা বিশ্ববিদ্যালয়ের মঞ্জুরীপ্রাপ্ত। এইবার এই কলেজের ছেলেরা আই, এ, পরীক্ষা দিতেছে। প্রধানতঃ হিন্দু মুসলমান গরীব ছেলেদের জন্যই এই কলেজ, যাদের বাপের তেমন অবস্থা নাই, তারা সেখানে ৫/৭/১০৲ টাকা খরচ ক'রে পড়্‌তে পারে। কলেজটী কলিকাতা বিশ্ববিদ্যালয়ের এফিলিয়েশন প্রাপ্ত। লাটসাহেবও মঞ্জুরী দিয়াছেন: এবং গভর্ণমেণ্ট পার্টিতে কলেজে সাহায্য দিবার প্রস্তাব সর্ব্ববাদিসম্মতিক্রমে গৃহীত হয়। কিন্তু এ পর্য্যন্ত গভর্ণমেণ্ট কিছু দেওয়া উচিত মনে করেন নাই। দেওয়া ত দূরের কথা, গত-গভর্ণমেণ্ট এতে বাধাই দিয়েছেন। আমাদের ভূতপূর্ব্ব অর্থসচিব মাননীয় সাহারওয়ার্দ্দি সাহেব প্রকাশ্যে ঘোষণা করেছিলেন যে আমি তাঁর প্রাণের শত্রু, দুষমন্। শুধু মালদহে শিক্ষার বিষয়ে কিছু কর্‌তে অনুরোধ করার জন্য আমি হয়েছিলাম তাঁর প্রাণের শত্রু। কিন্তু আজ তিনি নিজের বুকে হাত দিয়ে বল্‌তে পারেন কি যে বাংলার শিক্ষার জন্য বিশেষ ক'রে যে সব জেলা পশ্চাৎপদ তাদের জন্য তাঁদের গভর্ণমেণ্ট কি ক'রেছিলেন? করা ত দূরের কথা, আমি ক'র্‌তে চেষ্টা ক'রে তাঁদের নিকট থেকে বহু বাধা পেয়েছিলাম। মুসলমানের শিক্ষার প্রতি, দীক্ষার প্রতি, ধর্ম্ম ও কৃষ্টির প্রতি তাঁদের কিরূপ দরদ ছিল তার একটা কথাও শুনুন। আপনারা বোধ হয় জানেন যে ভূতপূর্ব্ব গভর্ণমেণ্টের আমলে হাদিসের পুস্তক প্রচারের জন্য ৪,০০০৲ টাকা দেওয়া হয়েছিল; মহাভারতের জন্যও ৪,০০০৲ মঞ্জুর ক'রে ২,০০০৲ টাকা দেওয়া হয়েছিল, কিন্তু মুসলমানের সর্ব্বপ্রধান ধর্ম্মশাস্ত্র কোরান শরিফের জন্য কিছু দেওয়া হয় নাই। আমি তাই মাননীয় প্রধান মন্ত্রী মহোদয়কে আমার লেখা "কোরানের মহাশিক্ষা" নামক ব্যাখ্যা পুস্তকের প্রচারের জন্য অনুরোধ করেছিলাম। এই পুস্তক গভর্ণমেণ্ট কর্ত্তৃক মনোনীত ও সকল দলের লোকই ইহা খুব আগ্রহের সহিত পড়িবার ইচ্ছা করিয়া থাকেন। এই পুস্তকের জন্য আমি নিজে কিছুই চাই নাই। আমি বলেছিলাম গভর্ণমেণ্ট থেকে এটা প্রচার করা হউক হাজার দুই টাকা খরচ কো'রে ছাপিয়ে। এ সম্বন্ধে মাননীয় প্রধান মন্ত্রী তৎকালীন অর্থসচিব মিঃ সাহারওয়ার্দ্দি সাহেবকে একখানা চিঠি দিয়েছিলেন, ও নবাবজাদা নাসরুল্লা এম্, এল, এ সাহেবকেও এজন্য পাঠিয়েছিলেন। সেই চিঠি পেয়ে তিনি দুই টুক্‌রা কোরে ছিড়ে পায়ের নিকট ফেলে দিয়েছিলেন। এই কাজ কি এস্‌লামের প্রতি গভীর সহানুভূতি ও গাঢ় ভালবাসার চিহ্ন? এই ব্যাপারে আমার মন বড়ই বিচলিত হয়েছিল, আমি পার্টি মিটিংএ একথা বলার ইচ্ছা ক'রেছিলাম, কিন্তু সেদিন কিছুই বলা হয় নাই। কারণ একটা দুর্ঘটনা ঘটেছিল। যে দিন রাইটার্স বিল্ডিংএ এই ব্যাপার হয় সেদিন তাঁর একমাত্র পুত্রের মৃত্যু হয় লণ্ডনে। সুতরাং আমি সেদিন কিছু না বোলে কয়েক দিন পরে বোসলেব

ইন্‌ষ্টিটিউট হলে যখন মাননীয় প্রধান মন্ত্রীর সভাপতিত্বে একটা বড় সভা হয়েছিল সেই সভায় মাননীয় সাহারওয়ার্দ্দি সাহেবের সাক্ষাতে বলেছিলাম। সেই ছেঁড়া কাগজখানা আজও আছে। মাননীয় প্রধান মন্ত্রী মহাশয় এবং নবাবজাদা নাসরুল্লা সাহেব এখনও বেঁচে আছেন। এখন কথা এই যে এই কি মোসলেম সংহতি? সেদিন আমাদের স্পীকার মহোদয় একটা মূল্যবান কথার পুনরাবৃত্তি ক'রেছিলেন। তিনি ব'লেছিলেন "When the majority have power, the minority must be heard." অর্থাৎ বড় দলের হাতে যখন ক্ষমতা থাকে তখন ছোট দলের কথা শোনা একান্ত দরকার। আমাদের মালদহ জেলা ছোট, ২৮টী জেলার মধ্যে (কলিকাতাকে একটা জেলা ধ'রলে অন্যায় হবে না), এই জেলার লোকের এমন জোর নাই, প্রাণে এমন বল নাই, লাট সভায় মেম্বরের এমন সংখ্যা নাই যে জোর কোরে মন্ত্রীদের কাছে কিছু আদায় করে। কিন্তু ছোটদের কথা বড়দের শুন্‌তে হবে। গণতন্ত্রের এই নিয়ম যদি পালন করা হয় তবে মালদহ জেলাকেও অপর জেলার মত সুযোগ-সুবিধা দিতে হবে।

আমি কোন দিন কিছু নিজের জন্য চাই নাই। আমি চেয়েছিলাম মালদহের জন্য কিছু করা হউক। কিন্তু আমাদের এই পশ্চাদ্‌পদ জেলার জন্য গত গভর্ণমেণ্ট কিছু করা উচিত মনে করেন নাই। আমার যে সব বন্ধুরা আজ গভর্ণমেণ্টের বিপক্ষ দলে ব'সে আছেন আমি তাঁদের কাছেও কৃতজ্ঞ। তাঁহারাও আবেদন করেছিলেন, অনুরোধ ক'রেছিলেন সাহারওয়ার্দ্দি সাহেবের কাছে ও প্রধান মন্ত্রীর কাছে যে অন্ততঃ ফজলুল হক আদিনা কলেজকে কিছু সাহায্য দেওয়া উচিত, ট্রেণিং স্কুল, বালিকা জুনিয়ার মাদ্রাসার কথা যাহাই হউক, কিন্তু কিছুতেই কিছু হয় নাই। ৪ বৎসর ধ'রে তাঁরা বিবেচনা কর্‌তেই পারেন নাই। আশা করি আমাদের বর্ত্তমান মন্ত্রী মহোদয় সেই অন্যায়ের প্রতিকার কর্‌বেন এবং মালদহের প্রতি বাস্তবিক সুবিচার কর্‌বেন। যাঁরা দেশ শাসন করেন তাঁদের মনে রাখা উচিত কোরান পাকের কথা। "খোদা তায়ালা যাহাকে ইচ্ছা রাজত্ব দান করেন ও যাহার নিকট হইতে ইচ্ছা রাজত্ব কাড়িয়া লইয়া থাকেন।" ইহার অর্থ এই নয় যে তিনি মানুষের মত খামখেয়ালী বশে কাজ করেন। রাজ্য শাসনের গুরুভার নিয়া যাদের দ্বারা অবিচার অনাচার বৃদ্ধি পায় তাদের নিকট হ'তে সে ভার কেড়ে নেওয়া ছাড়া উপায় কি? গভর্ণমেণ্টের সকল কর্ত্তাদেরই একথা মনে রাখা উচিত।

**Maulana MD. ABDUL AZIZ:** মাননীয় Deputy Speaker মহোদয়, আমি আমার বন্ধু মৌলবী ইজরাইল সাহেবের ছাটাই প্রস্তাব সমর্থন করিতে যাইয়া বলিতেছি যে এ দেশে—বিশেষতঃ যে সব জিলায় অবৈতনিক প্রাইমারী শিক্ষার প্রবর্ত্তন হইয়াছে—প্রাইমারী স্কুলের সংখ্যা নিতান্তই কম। যাহারা আইন তৈয়ার করেন বা সহরে বাস করেন, তাদের এসব বুঝা কঠিন হইতে পারে কিন্তু আমাদের মত লোক যারা গ্রামে বাস করে এবং পায়ে হাটিয়া চলা-ফেরা করে, তাঁহারা প্রাইমারী স্কুলগুলির পরস্পর দূরত্ব দেখিয়া বাস্তবিকই স্তম্ভিত হয় যে কেমন করিয়া শিশু ছেলেরা এতদূর যাইয়া পড়াশুনা করিতে পারে। বাংলায় এমন বহু গ্রাম আছে যেখানে প্রাইমারী স্কুল স্থাপিত হয় নাই এবং অদূর ভবিষ্যতে হইবারও আশা নাই। এমন অসুবিধাজনক গ্রামগুলিতে আরও বেশী

স্কুল স্থাপন করিয়া পল্লীর দরিদ্র অধিবাসীদের এই অসহনীয় দুঃখ দূর করিতে গভর্ণমেণ্টকে অনুরোধ করিতেছি। এই প্রসঙ্গে আমি প্রাইমারী শিক্ষায় ধর্ম্ম শিক্ষা প্রচলনের কথা বলিব। মুসলমানদের বহুদিনের অভিযোগ দূর করিয়া ২৫ বৎসর পূর্ব্বে বাংলায় মক্তব systemএর প্রচলন হইয়াছিল। বর্ত্তমানে আমাদের বড়কর্ত্তাদের কারসাজিতে সেই systemর অবসান হইয়াছে। এ বিষয়ে বাংলার মুসলমানরা কত দুঃখিত তাহা কেহ তলাইয়া দেখে নাই। আমি বলি, তাহারা এ বিষয়ে হাড়ে হাড়ে দুঃখিত। তাই প্রত্যেক প্রাইমারী স্কুলে একজন করিয়া মৌলবী বা কাজী শিক্ষক নিযুক্ত করিয়া বাংলার ধর্ম্ম-প্রাণ মুসলমানদের এই অভাব দূর করিতে গভর্ণমেণ্ট চেষ্টিত হোন। বর্ত্তমান যুগে ধর্ম্ম বিবর্জিত কতক লোক স্কুল কলেজ হইতে আরবি, ফারসি উঠাইয়া দিতে বদ্ধপরিকর হইয়াছে। কোন কোন স্থলে মৌলবী সাহেবদিগকে যারা ১৫/২০ বৎসর যাবৎ সুচারুরূপে প্রাইমারী স্কুলে কাজ করিতেছিলেন, তাদের বাদ দেওয়া হইয়াছে। মাধ্যমিক শিক্ষায় আরবি ফারসী উঠাইয়া দিবার ব্যবস্থা হইয়াছে। পূর্ব্বে মুসলমান ছেলেরা যারা আরবি বা ফারসি পড়িত, বর্ত্তমানে আরবি ফারসির সঙ্গে হাইজিন ইত্যাদি অন্যান্য বিষয় জুড়িয়া দেওয়ায় ছেলেরা অনেকেই আরবি ফারসি ছাড়িয়া দিতেছে। ইহা দ্বারা ভবিষ্যৎ ফল যে কত বিষময় হইবে সে কথা কেহই চিন্তা করিতেছেন না। প্রাইমারী ও মাধ্যমিক শিক্ষা পদ্ধতি পরিবর্ত্তিত হইয়া দিনিয়াত ও আরবি ফারসী compulsory না হইলে মুসলমান ছেলেদের হৃদয় হইতে ইস্‌লামিক ভাব বিলুপ্ত হইয়া ক্রমে তাহারা আনইস্‌লামিক ভাবাপন্ন হইয়া পড়িবে। এখানে পরিষদে বাংলার ১২৩ জন মুসলমান মেম্বর আছেন। তাঁহাদিগকে জিজ্ঞাসা করিতেছি যে এদেশে ইস্‌লাম রাখিবার জন্য তাহাদের কোন কর্ত্তব্য আছে কি? তাঁরা যেন বুকে হাত দিয়া একটুকু চিন্তা করিয়া দেখেন। আমার শেষ অনুরোধ—গভর্ণমেণ্ট যেন প্রাইমারী ও মাধ্যমিক শিক্ষায় দিনিয়াত ও আরবি ফারসি compulsory করেন এবং ইস্‌লামিক শিক্ষা সুসংগঠন করিবার জন্য আমার পূর্ব্ব চাহিদা আরবি (দারুল উলুম) বিশ্ববিদ্যালয় অচিরে বাংলায় স্থাপন করেন।

**Maulvi ABDUR RAZZAK** : Deputy Speaker, Sir, মুসলমানের ধর্ম্ম শিক্ষার বিলোপ হইতেছে দেখিয়া স্বর্গীয় হাজি মহসীন মরহুম সাহেব নিজ অর্থ দ্বারা এই দেশে কয়েকটী মাদ্রাসা স্থাপন করিয়া মুসলমানের ধর্ম্ম শিক্ষার ব্যবস্থা করিয়া যান। তারপর রাজনৈতিক আব-হাওয়ার পরিবর্ত্তন হেতু সমস্ত মাদ্রাসার সাহায্য বন্ধ করিয়া মাত্র কলিকাতার মাদ্রাসাটী নাম-কোয়াস্তে ধর্ম্মশিক্ষার জন্য বজায় রাখা হয়। কিন্তু অন্যদিকে দেশের আলেম সমাজ হাটবাজারে অবৈতনিক মাদ্রাসা ও মক্তব দ্বারা ধর্ম্মশিক্ষা বিস্তার করিতে লাগিলেন। এমনি সময়ে খোদার অনুগ্রহে জনপ্রিয় ধর্ম্মপ্রাণ সমাজ হিতৈষী মাননীয় মৌলবী এ, কে, ফজলুল হক সাহেবের প্রধান মন্ত্রীত্বে বাংলায় শাসন-পরিষদ গঠিত হওয়ায় তাঁহার কৃপা দৃষ্টি ধর্ম্মশিক্ষার দিকে আকৃষ্ট হইল। আজ কয়েক বৎসর যাবৎ আরবী শিক্ষা পুণর্জীবিত হইতে দেখিয়া তিনি সময়োপযোগী শিক্ষা মানসে আরবী বিশ্ববিদ্যালয় স্থাপন করে একটী মাদ্রাসা কমিটী গঠন করিলেন। ঐ কমিটী আজ দুই বৎসর হইল তাহার report দাখিল করিয়াছে। গভর্ণমেণ্ট তদনুযায়ী একটী বিলের খসড়াও রচনা

করিয়াছেন কিন্তু পরিতাপের বিষয় গভর্ণমেণ্ট নানা টাল-বাহানা করিয়া এ যাবৎ ঐ বিলটী পরিষদে উপস্থিত করিতেছেন না। সে দিনও মাননীয় প্রধান মন্ত্রী বাহাদুর সিরাজগঞ্জে ঘোষণা করিয়াছেন যে আমি এই দেশে একটী আরবী য়ুনিভার্সিটী (University) স্থাপন করিব। আশা করি ভারপ্রাপ্ত মন্ত্রী বাহাদুর তাঁহার কর্ম্মময় জীবনের মধ্যে এই বিশ্ববিদ্যালয় স্থাপন করিয়া বাংলার বুকে চিরস্মরণীয় এবং ইহকাল পরকালের তরে অমর হইয়া থাকিবেন। Sir, এইবার বাজেটে মাদ্রাসা শিক্ষা বাবদ নূতন কোন টাকার ব্যয় বরাদ্দ না দেখিয়া মুসলমান সমাজের মনে আতঙ্ক-সৃষ্টি হইয়াছে। ডিপার্টমেণ্ট (Department) হইতে ৪০ হাজার টাকা চাওয়া হইয়াছিল। Administrative approval হওয়া সত্ত্বেও বাজেটে এই খরচের বরাদ্দ করা হয় নাই। আশা করি, মন্ত্রী বাহাদুর ঐ টাকা খরচের বরাদ্দ করিয়া য়ুনিভার্সিটী স্থাপন করিতে যত্নবান হইবেন।

Sir, এই হক মন্ত্রীমণ্ডলীর পূর্ব্বে এই দেশে যে গভর্ণমেণ্ট পরিচালিত হইতে ছিল, তাহারই সময় ফ্রি প্রাইমারী শিক্ষা আইন দেশে প্রবর্ত্তিত হয়। তাহাতে ধর্ম্ম-শিক্ষার ব্যবস্থা ত দূরের কথা পবিত্র কোরান পাঠটিকে প্রাইমারী শিক্ষা হইতে বাদ দিয়া ফেলা হইল। আজ তাহাদেরই মুখে মুসলমান সমাজ ও ধর্ম্মের বড় বড় কথা শোভা পায় না।

Sir, গভর্ণমেণ্ট ফেণীতে Aerodrome করিয়া তাহার চতুষ্পার্শে ৪ বা ৫ মাইল পর্য্যন্ত অধিবাসীদিগকে স্থানান্তরিত হইবার আদেশ দেওয়ায় মাদ্রাসা ও কলেজের বহু ছাত্রের জায়গির চুটিয়া যাওয়ায় শিক্ষা বন্ধ হওয়ার উপক্রম হইয়াছে এবং দেশব্যাপী হাহাকার আরম্ভ হইয়াছে। ইতিপূর্ব্বে লীগের ধুয়া ধরিয়া ছাত্রদিগকে Strikeকে বলবৎ রাখার জন্য মাননীয় সুরওয়ার্দ্দি সাহেব তিনবার ফেণী যাইয়া উস্কাইয়া আসিলেন এবং কিছু টাকাও খরচ করিতে দেখা গেল। আজ তিনি কোথায়? ফেণীবাসী ও ছাত্রসমাজ তাঁহার মুখ দেখিতে ইচ্ছুক।

বর্ত্তমান মন্ত্রীমণ্ডলীর দ্বারা আরবী শিক্ষার অভাব দূরীভূত হইবে বলিয়া আলেম সমাজ বর্ত্তমান মন্ত্রীমণ্ডলীর পিছনে দণ্ডায়মান হইয়াছেন। এবং তাহার পরিচয় ফুরফুরা শরিফে জমিয়েৎ-উল-উলেমার meetingএ পাওয়া গিয়াছে। আশা করি বর্ত্তমান মন্ত্রীমণ্ডলী আরবী শিক্ষার বহুল প্রচলনে বদ্ধপরিকর হইবেন।

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** Mr. Deputy Speaker, it is my proud privilege to-day to address the honourable members of this House as Minister for Education of the Government of Bengal, the most advanced province in India. I am reminded of a Bengali adage which says: "To the man who has got too many children it means the extinction of his family." This is the English rendering of the Bengali adage. Mr. Deputy Speaker, Sir, as Education Minister I find myself in the unfortunate position of being at the head of the largest body of teachers, students and other classes in Bengal. The demands from all sides are so insistent and in many cases without due regard to the proportionate rules that apply that the Education Minister's life has been made very uneasy for very many reasons. I

have listened to the debates of the honourable members with great care and attention, especially having taken over charge of the department only a few months ago. And I thank the honourable members for the flood of light that they have thrown upon the debate on many important topics, the light which I should as a beginner try to follow with a view to solving the pressing educational problems of Bengal.

Sir, the subject that has loomed large in the debate is about the education of the scheduled castes. I have seen that as many as five or six members have spoken on that subject. I have made a brief bird's eye review of the position so far as the education for the scheduled castes is concerned, and I think that the scheduled castes have been very well treated so far as their education is concerned. I will now place for the information of the House—of course, I am subject to correction—what I have found to be the general position as regards scheduled castes' education in the province. The scheduled caste community has been given special facilities which have not been given to any other community in Bengal. As a matter of fact, recently there was a communication to me from the Native State of Gwalior as to what facilities have been given to the scheduled castes in Bengal which the State wanted perhaps for drawing up a scheme for the education of their scheduled caste people. That is a long letter, and I do not think this is the proper time and occasion to place it here. The reply given to the Gwalior State will meet the points relating to scheduled castes' education that have been raised to-day. A lump provision, as the honourable members are aware, of Rs. 5 lakhs was allowed in the Budget of 1938-39 for the advancement of scheduled caste education, and a Scheduled Caste Education Committee was set up on whose advice this money was spent. Out of this amount, building grants to schools largely attended by scheduled caste boys and building grants for scheduled caste hostels both for school students and college students were given. Stipends and scholarships were given in relaxation of the rules. Under the Stipend Rules, no post-graduate stipend is generally given, but in the case of scheduled caste students a departure was made. Ordinarily, only first division students are granted stipends, but this rule was relaxed in favour of the scheduled caste students. No school stipend is given out of the provincial revenues for schoolboys at the high school stage belonging to Muslim or other communities, but as much as Rs. 72,000 is being spent consistently for the last two years for awarding stipends to scheduled caste students, so much so that money was even provided out of this Rs. 5 lakhs for distribution of books and slates to scheduled caste primary schools. When it was found that this amount of Rs. 5 lakhs was going to be exhausted, Rs. 1,50,000 was provided in last year's budget for the continuance of these facilities. Even in this year's budget, though so tight it is, Rs. 1,50,000 has been provided for scheduled caste education.

Already an amount of Rs. 29,160 has been made recurring for the purpose of awarding scholarships and stipends to scheduled caste students. One State scholarship for scheduled caste students for study abroad has also been created by Government, and it was already availed of but has now been stopped due to the war. The question of making some of these facilities recurring is under the consideration of Government on the recommendation of the Scheduled Caste Education Committee, and it can be hoped that as soon as the financial position improves, some of these grants now given for advancement of scheduled caste education will be made recurring. These are the facts. That shows that the question of education of scheduled caste children is being given the most anxious consideration by Government. Gentlemen of the scheduled caste community will kindly remember certain outstanding facts about their education. As regards the point that the scheduled caste community has got no special institutions of its own, I may inform the members of the scheduled caste community that their children have got full access to all the existing institutions along with the boys of other communities, and all these institutions will bestow special care on scheduled caste boys. There, again, a step forward has been taken in the matter. Gentlemen of the scheduled caste community will kindly remember that never before in the history of this province was there a definite sum earmarked for the education of their community. Dealing with the Budget, gentlemen of the scheduled caste community will find that barring famine under which a sum of Rs. 10 lakhs is provided as a reserve, there is no other item in the Budget excepting the item of scheduled caste education where a reserve fund has been created.

**Babu KSHETRA NATH SINGHA:** It is too insignificant a sum.

**Mr. HARENDRA NATH DOLUI:** There is no planned scheme.

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** I shall come to that later on, and I hope honourable members will hold their soul in patience till then.

Then, Sir, so far as scheduled caste education is concerned, there was a special provision of Rs. 6,18,000 specially reserved for the education of scheduled caste students in addition to the facilities they are getting for education in general institutions. Out of this sum, although there has been a complaint about the inadequacy of the grant, there is still a balance left, and this year we have provided another Rs. 1,50,000 for scheduled caste education, and the total amount comes to Rs. 2,86,000 or about Rs. 3 lakhs which will be spent during the course of the coming year 1942-43, and you will have an unspent balance of Rs. 28,000 on 31st March, 1943. Therefore the complaint is rather not genuine. When we find that we have made provision of money for the

education of scheduled caste students from time to time as and when occasion requires, there is no need for an apprehension that scheduled caste education may suffer at the hands of the present Government. The amount will continue to be available in any measure which is dictated by reason and is based upon a substantial programme of advancement. It is an inexhaustible fund for very many years to come. After we have got sufficient response in this matter, of course Government will have to fall back upon the question of recurring and non-recurring grant, but for the next ten years you may rest assured that this policy of Government will remain in force. There is a continuity in the policy of Government, so far as I am concerned. After we have paid for all expenditure up to the 31st March, 1943, you will have still left Rs. 28,000 as a reserve in your hand. Therefore I say that for the time being it is not inadequate. If you are able to bring forward any suitable or proper scheme before Government, of course it will be open to Government to increase the amount as soon as additional grant is required. Therefore there is this guarantee. I repeat that there is a continuity in the policy of Government, and I may tell the House that I will be the last man to break that continuity. Government is doing all that is reasonably possible, subject of course to the financial limitations. We have to adjust the claims and rights of the different communities under my charge in a manner so that no community may have any grievance against the other. There must be definite adjustment of claims, and for that we must be prepared. As a matter of fact during the last 50 years of my political life I have always held that the backwardness of a particular community is a clog on its advancement and until all the important communities are able to march *pari passu* with one another, there is absolutely no hope for Indian nationalisation which is the ardent desire of us all. It is only on the wide question of that problem that you must take as much interest in the education of the backward Muslims as in the education of the backward scheduled castes and other backward classes. Of course, a new claim has been made for the aboriginal race. I will keep that point in mind, and I will see if anything can be done to extend the sphere of our activities. I can assure my honourable friends representing the scheduled castes that if the past conduct of Government is any security for its good behaviour in future, they may count on our full support, subject to the limitations which I have already mentioned. They need not have any fear on that account. They can come out with fresh proposals and if we are satisfied that it is necessary to implement them, Government will not be reluctant to pay even more. That is also the case with regard to other communities.

Next to that I shall refer to the point raised by my friend on this side—I think Mr. Abdul Karim—as regards Madrassah education. As a matter of fact, Madrassahs are getting about Rs. 9 lakhs annually.

Of course I say that, subject to correction. This is with reference to a particular kind of Madrassah. I am speaking about the old system of Madrassah and not the junior or reformed system of Madrassah—the maktabs and all that. This year we made a definite proposal for the grant of an additional sum of Rs. 40,000 for augmentation of our Madrassah grant, but as you are aware, owing to the financial stringency consequent upon the war situation, no additional grant has been permitted or allowed to be brought forward in the present session. That is our explanation. If the situation improves, certainly we shall repay that amount with compound interest.

Now as regards primary education, our Professor of Philosophy used to tell us when he took his class when I was a college boy: "My boys, let us begin from the very beginning" and he would go over the same ground every day. I think gentlemen, some of you have read the Act——

**Mr. DEPUTY SPEAKER:** Please address the Chair.

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** Yes, Sir. The preamble states: "Whereas it is expedient to make better provision for the progressive expansion"—mind the words "progressive expansion"—"of primary education in rural areas so as to make it available to all children and with a view to make it compulsory within 10 years." Now, Sir, 10 years have passed during the régimé of the last Ministry; during the régimé of the last Ministry when the Leader of the Opposition was the most important member. I can tell you why this period of 10 years was fixed. Any politician who knows anything about Bengal and its complex circumstances would be the last person to make this limit of 10 years. I might tell you in this connection that in the most important pronouncement of 1917 by the Secretary of State it was stated: "For the progressive realisation of responsible Government in British India" (Interruptions). If you cannot follow me, please keep quiet. (Renewed interruptions.)

**Mr. SURENDRA NATH BISWAS:** Why these unnecessary interruptions?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** Let them go on. Now, Sir, 25 years have elapsed since the promulgation of that order, and we are not yet near the point of attaining responsible Government in this province.

**Mr. A. M. A. ZAMAN:** On a point of information, Sir. সভাপতি মহাশয়, আমি কি জানতে পারি—ওঁরা Opposition যাবার পর তাঁরা কি হারিয়ে ফেলেছেন ?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** Therefore, for progressive realisation of compulsory primary education in a province like Bengal, the making of a forecast of 10 years is simply ridiculous, but there was a motive behind it. Gentlemen, you must remember that 1929 or 1930 was the year fixed for election, although the general election did not take place then. It was an election campaign measure sponsored by Sir Nazimuddin for which purpose he had to go out to some of the Eastern Bengal districts and make some speeches at several places with the object of making the people agree to this sort of taxation. (Cries of "Question" from the Muslim League Opposition benches.) Therefore you can understand what was the motive behind it. Not only that. Primary education would have progressed very much more under this Act by this time than what it has done but for a conciliatory utterance of the Education Minister of those days, Sir Nazimuddin, on the floor of this House: "You District Board people will not be required to give all the amount to the School Board Fund which you are now spending for the purpose of primary education, because originally it was estimated that the District Boards will pay the amount which they have already been giving for primary education." But this assurance given by the Minister in charge of Education had a deterrant effect so much so that the District Boards are now not paying anything at all. The Government have no money with which to pay for making education compulsory and free to at least 60 lakhs of the population. Therefore you can understand that it is not due to any apathy on the part of Government that primary education is not making rapid progress; it is due also to the local conditions, because as I said on the floor of the House in answer to a certain question 17 districts have already adopted their School Boards, and only 6 out of those 17 are paying taxes.

**Mr. A. M. ABDUL HAMID:** Is cess imposed in all districts?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** Only 6 districts are paying the tax. Owing to the economic condition the people are not coming forward to pay their contributions. That is also another reason why primary education cannot make rapid progress.

**Mr. DEPUTY SPEAKER:** Will you be able to finish within another five minutes?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** No, Sir. It is so exhaustive and comprehensive. I shall take another 15 minutes.

Then as regards the Primary Education Committee Government did not take any action on their recommendations. Government have planned for the establishment of a Central Primary Education Board and the other recommendations of the Committee are under the consideration of Government.

As regards the deprovincialisation of schools, to which reference has been made by Mr. Wordsworth, I perfectly agree with him there. All that I can tell the House is that although there has been a Retrenchment Committee in 1922 and 1932 recommending certain measures Government could not see their way to accept them, but I can assure the House that I will make experiment in the beginning by abolishing one or two Government high schools, so that the money spent on them might be given to other institutions.

Then about the University, complaint has been made that Government are keeping silence over this matter. It has been stated that injustice has been perpetrated by the Calcutta University, but honourable members ought to remember that the University is an autonomous body and Government have very little control over it except what may be called a residuary right of control. Although this state of affairs is deplored by the Opposition, there is one favourable circumstance and it is this, that three leading lights of the University are now members of the Cabinet. What we cannot do according to the strict terms of the Regulation, we can have it effected through persuasion, and that is a very hopeful sign for the time being. I am now making serious study of the educational problems in Bengal, and if honourable members will give me time, at least six months, I hope to be able to do what can be reasonably expected.

Last of all, I shall take up the personal allegations and insinuations that have been made against the Cabinet and against my public life. That was done by a Comilla man, and it is no wonder as a prophet is not respected in his area. But I can assure the House that as a matter of fact no such statement, as has been attributed to me, could have been uttered by any responsible man in Bengal. I do not think for one moment that age has added stupidity to my ignorance (laughter) and, as has been stated by my friend from Comilla, an honouable man who has known me all his life, a statement like that by me is inconceivable. It must be the figment of some diseased and confused brain. The gentleman was perhaps inspired by the atmosphere in which he lives. Any student of Geography knows that the middle line of the tropic of cancer passes over the town of Comilla especially the *mahalla* in which the honourable mover of this motion lives (renewed laughter) along with the Secretary of the Muslim League Association of Tippera. You have heard what the students themselves had to say about me. You have also heard what the students liked to say about me. As a

matter of fact, another mis-statement that the honourable member has made is this, that during the Christmas recess I went to Comilla and met the principal, professors and all that. As a matter of fact, that is also a deliberate lie. I am reading only one sentence from the principal's letter to me as to what I said to the principal and what he said——

**Mr. AHMED HOSAIN:** Sir, may I say a few words?

**Mr. DEPUTY SPEAKER:** At this stage you can only ask for permission for a personal explanation. You cannot raise any debatable point at this stage.

**Mr. AHMED HOSAIN:** Sir, in my speech I raised some questions, and I require elucidation on those points from the Hon'ble Minister.

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** Sir, let me finish and then he will have my answer.

**Mr. DEPUTY SPEAKER:** Let him finish and if he does not reply to your questions, I cannot force him to do so

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** My honourable friend referred to my uttering certain things during the Christmas holidays. That is belied by the statement of the principal himself. He wrote to me: "On the occasion of your kind visit to Comilla, you told me on the 23rd January, 1942, in course of a conversation that you had got definite information that some of my colleagues were in sympathy with anti-Huq movement. You kindly advised me to warn them. Consequently I had a talk with them and they submitted written statements, copies of which are enclosed herewith for your kind notice." In their statements they deny this allegation——

**Mr. FAZLUR RAHMAN:** Sir, may we know from what he is reading?

**Mr. DEPUTY SPEAKER:** He has said that he is reading from a letter from the principal of the college.

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** As a matter of fact, during December I went to say my Id prayers at home. It was a purely non-official private business.

**Mr. KIRAN SANKAR ROY:** Mr. Deputy Speaker, may I crave your indulgence, and the indulgence of the House to make a short statement regarding the attitude of our party towards motions Nos. 38 and 47. We, Sir, belong to the Opposition and it is expected that being in opposition we shall either vote in opposition or shall remain neutral. But in these two matters, if division is called we shall vote with the Government.

Sir, I want to explain why we have come to this decision. We do not want to be misunderstood. Our party is not against any religious instruction whatsoever. On the contrary, we are for imparting the fundamental truths and precepts of all religions to all students, that is, Hindu students should be familiar with the fundamental precepts of Muhammadan religion and Muhammadan students should be taught the fundamental precepts of Hindu religion and our attitude is also the same as regards Christianity. But, Sir, the way in which this motion has been moved creates an apprehension in our mind that religious instruction in primary schools will lead to intolerance and generally we have known by our experience——

**Mr. FAZLUR RAHMAN:** Sir, is it a speech?

**Mr. DEPUTY SPEAKER:** The practice is that if leaders of groups or parties want to make a statement with the leave of the Chair, they are entitled to do that.

**Mr. FAZLUR RAHMAN:** On a point of order, Sir.

**Mr. DEPUTY SPEAKER:** Please allow him to finish his speech.

**Mr. FAZLUR RAHMAN:** On a point of order——

**Mr. KIRAN SANKAR ROY:** Therefore, Sir, we are opposed to the motion moved——

**Mr. FAZLUR RAHMAN:** On a point of order, Sir——

**Mr. DEPUTY SPEAKER:** I have allowed him to make a statement and you have no right to raise a point of order in the midst of it. Please let him finish his statement and I will give you an opportunity afterwards.

**Mr. KIRAN SANKAR ROY:** We as a party are for imparting secular education to the boys. That is why we are opposed to this motion. This statement is necessary because, if I may point out to my

friends on the left, in spite of the fact that we are in opposition, we have decided to vote with the Government. That is the peculiar situation which needed explanation.

**Mr. FAZLUR RAHMAN:** Sir, my point of order was that I know that the leaders of the different groups are entitled to make statements if they like. But after the conclusion of the debate, the leaders can only explain their party position—whether they are going to participate in the voting or not, but if they are allowed to make a speech on the motion, this is to throw open the debate because other parties may also like to enunciate——

**Mr. DEPUTY SPEAKER:** This is a mere statement.

The motions Nos. 47, 49 and 50 of Maulvi Muhammad Israil that the demand of Rs. 1,71,00,000 for expenditure under the head "37—Education—General" be reduced by Rs. 100 were then put and a division called.

(When the division bell was ringing.)

**Khan Bahadur MOHAMMED ALI:** Sir, are you putting all the three motions together? Please put them separately.

**Mr. DEPUTY SPEAKER:** It was decided that one speech should be given on items Nos. 47, 49 and 50 and that they would be taken together.

**Maulvi MUHAMMAD ISRAIL:** On a point of order, Sir——

**Mr. DEPUTY SPEAKER:** There cannot be any point of order. I have decided in consultation with the whip of your party that the three motions will be taken together.

**Maulvi MUHAMMAD ISRAIL:** Let me finish, Sir. As regards motions Nos. 47, 49 and 50, one refers to religious instruction, one refers to primary education and the third refers to administration of the Calcutta University. These three are quite different. Members may cast their votes in favour of one motion, say, for primary education, but may not vote for another, for instance, religious instruction.

**Dr. NALINAKSHA SANYAL:** Sir, I also stand on this point of order. I find that some difficulty will really be caused if all the three motions are lumped together. You have a right under the rules to split up even one motion into several motions, but here the case is the contrary. Whether the whip has advised you or not, I do not know,

but if these are taken together there would be genuine difficulty, because it is quite possible that there may actually be division on one motion and no division on the others. Why should you then, Sir, insist upon all three being lumped together? I think it will be in the fairness of things if you put them separately.

**Mr. Khwaja SHAHABUDDIN:** May I make a submission as you have referred to me? I think there has been some misunderstanding. The day when this demand was taken up I approached you to allow Mr. Israil to move one motion with a speech and the other motions without any speech. There was no talk or any understanding how these motions would be voted upon. So what we request is, as Dr. Sanyal has also pointed out, that as these motions deal with absolutely separate matters, they may be put separately to vote without calling one division on all these three.

**Mr. DEPUTY SPEAKER:** If the Opposition so desire they should arrange whether I will take 47 first, or 49 first or 50 first. That has not been done.

**Mr. Khwaja SHAHABUDDIN:** We have no objection to any order in which these motions are put, provided they are put separately.

The motion of Maulvi Muhammad Israil that the demand of Rs. 1,71,00,000 under the head "37—Education—General" be reduced by Rs. 100 was then put and a division taken with the following result:—

**AYES—38.**

Abdul Aziz, Maulana Md.
Abdul Hafiz, Mr. Mirza.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdulla-Al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rahman Siddiqi, Mr.
Abdur Rashid Mahmood, Mr.
Abdur Rashood, Maulvi Md.
Abdur Reza Chowdhury, Khan Bahadur Maulvi.
Abdus Shahood, Maulvi Md.
Abul Hashim, Maulvi.
Aftab Ali, Mr.
Ahmed Ali Mridha, Maulvi.
Ahmed Hussain, Mr.
Alimuddin Ahmed, Khan Bahadur Maulvi.
[illegible]
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Dacca).
Fazlur Rahman, Mr. (Mymensingh).
Hafizuddin Choudhuri, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Jalaluddin Ahmad, Khan Bahadur Maulvi.
Mafizuddin Ahmed, Maulvi (Tippera).
Maniruddin Akhand, Maulvi.
Maseed Ali Khan Panni, Al-Hadj Maulvi.
Mohammed Ali, Khan Bahadur.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Nasaruddin, Nawabzada K.
Nazimuddin Khwaja Sir, K.C.I.E.
Sahebe-Alam, Mr. Syed.
Salim, Mr. S. A.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, O.B.E.
Yusuf Ali Choudhury, Mr.

**NOES—128.**

Abdul Hafiz, Mr. Mia.
Abdul Hakim, Maulvi (Mymensingh).
Abdul Hamid Shah, Maulvi.
Abdul Kader, Mr. (alias Lal Meah).
Abdul Majid, Maulvi (Mymensingh).
Abdul Wahab Khan, Mr.
Abdur Razzak, Maulvi
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Ahmed Khan, Mr. Syed.
Aminullah, Khan Sahib Maulvi.
Asimuddin Ahmed, Mr.
Azhar Ali, Maulvi.
Badruddoja, Mr. Syed.
Banerjee, the Hon'ble Mr. Pramatha Nath.
Banerjee, Mr. Sibnath.
Banerji, Mr. P.
Banerji, Mr. Satya Priya.
Barat Ali, Mr. Md.
Barma, Babu Premhari.
Barma, Mr. Puspajit.
Basu, the Hon'ble Mr. Santosh Kumar.
Bhawmik, Dr. Gobinda Chandra.
Birkmyre, Sir Henry, Bart.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Chakrabarty, Babu Narendra Narayan.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Babu Radhanath.
Das, Rai Sahib Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Das, Mr. Monmohan.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Srijut Narendra Nath.
Datta, Mr. Dhirendra Nath.
Doloi, Mr. Harendra Nath.
Dutta Gupta, Miss Mira.
Dutta Mazumdar, Mr. Niharendu.
Edbar, Mr. Upendranath.
Emdadul Haque, Kazi.
Fazlul Huq, the Hon'ble Mr. A. K.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Golam Rabbani Ahammad, Maulvi.
Golam Sarwar Hosaini, Mr. Shah Syed.
Gupta, Mr. Jogesh Chandra.
Gupta, Mr. J. N.
Gurung, Mr. Damber Singh.
Gyasuddin Ahmed Choudhury, Alhadj.
Hamilton, Mr. K. A.
Hasan Ali Chowdhury, Mr. Syed.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, the Hon'ble Khan Bahadur Maulvi.
Hasina Murshed, Mrs., M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Henry, Mr. David.
Idris Ahmed Mia, Maulvi.
Jalan, Mr. I. D.
Jonab Ali Majumdar, Maulvi.
Kabiruddin Khan, Khan Bahadur Maulvi.
Kazem Ali Mirza, Sahibzada Kawan Jah Syed.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Lahiri, Babu Ashutosh.
McPherson, Mr. G. P.
Mafizuddin Ahmed, Dr. (Bogra).
Maiti, Mr. Nikunja Behari.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mal, Mr. Iswar Chandra.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Banku Behari.
Mandal, Mr. Birat Chandra.
Mandal, Mr. Jogendra Nath.
Mandal, Mr. Krishna Prasad.
Maniruzzaman Islamabadi, Maulana Md.
Maqbul Hosain, Mr.
Mohsin Ali, Mr. Md.
Mookerjee, The Hon'ble Dr. Syamprasad.
Morgan, Mr. G., C.I.E.
Moslem Ali Mollah, Maulvi M.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Bahadur Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Muhammad Sulaiman, Khan Bahadur Maulvi.
Mukherjea, Mr. Taraknath, M.B.E.
Mukherji, Mr. Dhirendra Narayan.
Mukherjee, Mr. B.
Mukherji, Dr. Sharat Chandra.
Musharruff Hossain, Nawab, Khan Bahadur.
Mustagawsal Haque, Mr. Syed.
Mustafa Ali Dewan, Maulvi.
Nasker, Mr. Hem Chandra.
Poddar, Mr. Anandilal.
Pottinger, Mr. G. U.
Pramanik, Mr. Tarinicharan.
Rahman, Khan Bahadur A. M. L.
Rajibuddin Tarafdar, Maulvi.
Roy, Mr. Charu Chandra.
Roy, Mr. Dhananjoy.
Roy, Mr. Kiran Sankar.
Roy, Kshirod Chandra, Rai Bahadur.
Roy, Mr. Manmatha Nath.
Roy, Mr. Patiram.
Saderuddin Ahmed, Mr.
Sanaullah, Dr.
Sanyal, Dr. Nalinaksha.
Sanyal, Mr. Sasanka Sekhar.
Sarkar, Babu Madhusudan.
Sen, Mr. Atul Chandra.
Sen, Mr. Dhirendra Nath.
Sen, Jogesh Chandra, Rai Bahadur.
Sen-Gupta, Mrs. Nellie.
Shahedali, Mr.
Shamsuddin Ahmed, the Hon'ble Mr.
Shamsuddin Ahmed Khondkar Mr.
Singha, Babu Kshetra Nath.
Sirdar Babu Litta Munda.
Stark, Mr. A. F.
Sur, Mr. Narendra Kumar
Walter Rahman, Maulvi.
Wordsworth, Mr. W. S., S. I. E.
Yousuf Mirza.
Zaman, Mr. A. M. A.

The Ayes being 38 and the Noes 128, the motion was lost.

The motion of Maulvi Muhammad Israil that the demand of Rs. 1,71,00,000 for expenditure under the head "37—Education—General" be reduced by Rs. 100 was then put and a division taken with the following result:—

**AYES—38.**

Abdul Aziz, Maulana Md.
Abdul Hafiz, Mr. Mirza.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdulla-Al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rahman Siddiqui, Mr.
Abdur Rashid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdus Shahed, Maulvi Md.
Abidur Reza Choudhury, Khan Bahadur Maulvi.
Abul Hashim, Maulvi.
Ahmed Ali Mridha, Maulvi.
Ahmed Hossain, Mr.
Farhad Raza Choudhury, Mr. M.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Dacca).
Fazlur Rahman, Mr. (Mymensingh).
Hafizuddin Choudhuri, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Jalaluddin Ahmad, Khan Bahadur Maulvi.
Mafizuddin Ahmed, Maulvi (Tippera).
Maniruddin Akhand, Maulvi.
Masud Ali Khan Panni, Al-Hadj Maulvi.
Mohammed Ali, Khan Bahadur.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Nasarullah, Nawabzada K.
Nazimuddin Khwaja Sir, K.C.I.E.
Sahebe-Alam, Mr. Syed.
Salim, Mr. S. A.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja C.B.E.
Yusuf Ali Choudhury, Mr.

**NOES—110.**

Abdul Hafiz, Mr. Mia.
Abdul Hakim, Maulvi (Mymensingh).
Abdul Hamid Shah, Maulvi.
Abdul Kader, Mr. (alias Lal Meah).
Abdul Majid, Maulvi (Mymensingh).
Abdul Wahab Khan, Mr.
Abdur Razzak, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Ahmed Khan, Mr. Syed.
Alfazuddin Ahmed, Khan Bahadur Maulvi.
Aminullah, Khan Sahib Maulvi.
Amir Ali Mia, Maulvi Md.
Asimuddin Ahmed, Mr.
Badruddoja, Mr. Syed.
Banerjee, the Hon'ble Mr. Pramatha Nath.
Banerji, Mr. Satya Priya.
Barat Ali, Mr. Md.
Barma, Babu Premhari.
Barma, Mr. Puspajit.
Basu, the Hon'ble Mr. Santosh Kumar.
Bhaumik, Dr. Gobindh Chandra.
Birkmyre, Sir Henry, Bart.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Chakrabartty, Babu Narendra Narayan.
Chippendale, Mr. J. W.
Das, Rai Sahib Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Das, Mr. Monmohan.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Srijut Narendra Nath.
Dutta Gupta, Miss Mira.
Dutta Mazumdar, Mr. Niharendu.
Edhar, Mr. Upendranath.
Emdadul Haque, Kazi.
Fazlul Huq, the Hon'ble Mr. A. K.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Golam Rabbani Ahammad, Maulvi.
Golam Sarwar Hosaini, Mr. Shah Syed.
Gupta, Mr. J. N.
Gurung, Mr. Damber Singh.
Gyasuddin Ahmed Choudhury, Alhadj.
Hamilton, Mr. K. A.
Hasan Ali Choudhury, Mr. Syed.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, the Hon'ble Khan Bahadur Maulvi.
Hasina Murshed, Mrs. M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Hendry, Mr. David.
Idris Ahmed Mia, Maulvi.
Jenab Ali Majumdar, Maulvi.
Kazem Ali Mirza, Sahibzada Kaman Jah Syed.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Lahiri, Babu Ashutosh.
McPherson, Mr. S. P.
Mafizuddin Ahmed, Dr. (Bogra).
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Banku Behari.
Mandal, Mr. Birat Chandra.

Mandal, Mr. Jogendra Nath.
Mandal, Mr. Krishna Prasad.
Maniruzzaman Islamabadi, Maulana Md.
Maqbul Hossain, Mr.
Mohsin, Ali Mr. Md.
Mookerjee, the Hon'ble Dr. Syamaprasad.
Morgan, Mr. G., C.I.E.
Moslem Ali Mollah, Maulvi M.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Bahadur Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Muhammad Sulaiman, Khan Bahadur Maulvi.
Mukherjea, Mr. Taraknath, M.B.E.
Musharruf Hossain, Nawab, Khan Bahadur.
Mustagawai Haque, Mr. Syed.
Mustafa Ali Dewan, Maulvi.
Naskar, Mr. Hem Chandra.
Poddar, Mr. Anandilal.
Pottinger, Mr. G. U.
Pramanik, Mr. Tarinicharan.
Rahman, Khan Bahadur A. M. L.
Rajibuddin Tarafdar, Maulvi.
Roy, Mr. Charu Chandra.
Roy, Mr. Dhananjoy.
Roy, Kshirode Chandra, Rai Bahadur.
Roy, Mr. Manmatha Nath.
Roy, Mr. Patiram.
Sadaruddin Ahmed, Mr.
Sanyal, Mr. Sasanka Sekhar.
Sarkar, Babu Madhusudan.
Sen, Mr. Atul Chandra.
Sen, Mr. Dhirendra Nath.
Sen, Jogesh Chandra, Rai Bahadur.
Shahedali, Mr.
Shamsuddin Ahmed, the Hon'ble Mr.
Shamsuddin Ahmed Khondkar, Mr.
Singha, Babu Kshetra Nath.
Sircar, Babu Litta Munda.
Stark, Mr. A. F.
Waliur Rahman, Maulvi.
Wordsworth, Mr. W. C., C.I.E.
Yousuf Mirza.
Zaman, Mr. A. M. A.

The Ayes being 36 and the Noes 110, the motion was lost.

The motion of Maulvi Muhammad Israil that the demand of Rs. 1,71,00,000 for expenditure under the head "37—Education—General" be reduced by Rs. 100 was then put and a division taken with the following resuult:—

**AYES—35.**

Abdul Aziz, Maulana Md.
Abdul Hafiz, Mr. Mirza.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdulla-Al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rahman Siddiqi, Mr.
Abdur Rashid Mahmood, Mr.
Abdur Rashood, Maulvi Md.
Abdur Shahood, Maulvi Md.
Abidur Reza Choudhury, Khan Bahadur Maulvi.
Abul Hashim, Maulvi.
Ahmed Ali Mridha, Maulvi.
Ahmed Hossain, Mr.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Dacca).
Fazlur Rahman, Mr. (Mymensingh).
Hafiz uddin Choudhuri, Maulvi.
Hamiduddin Ahmad, Khan Sahib.
Jainiuddin Ahmad, Khan Bahadur Maulvi.
Mafizuddin Ahmed, Maulvi (Tippera).
Maniruddin Akhand, Maulvi.
Masud Ali Khan Pannni, Al-Hadj Maulvi.
Mohammed Ali, Khan Bahadur.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Nasarullah, Nawabzada K.
Nazimuddin Khwaja Sir, K.C.I.F.
Sahebe-Alam, Mr. Syed.
Salim, Mr. S. A.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C.B.E.
Yusuf Ali Choudhury, Mr.

**NOES—104.**

Abdul Hafiz, Mr. Mia.
Abdul Hakim, Maulvi (Mymensingh).
Abdul Hamid Shah, Maulvi.
Abdul Jabbar Pahwan, Mr. Md.
Abdul Kader, Mr. (alias Lal Meah).
Abdul Majid, Maulvi (Mymensingh).
Abdul Wahab Khan, Mr.
Abdur Razzak, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Acharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Ahmed Khan, Mr. Syed.
Afizuddin Ahmed, Khan Bahadur Maulvi.
Aminullah, Khan Sahib Maulvi.
Amir Ali Mia, Maulvi Md.
Asimuddin Ahmed, Mr.
Badaruddoja, Mr. Syed.
Banerjee, the Hon'ble Mr. Pramatha Nath.
Banerji, Mr. Satya Priya.
Barat Ali, Mr. Md.
Barma, Babu Prembari.
Barma, Mr. Puspajit.
Basu, the Hon'ble Mr. Santosh Kumar.

Birkmyre, Sir Henry, Bart.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Chakraborty, Babu Narendra Narayan.
Chippendale, Mr. J. W.
Das, Rai Sahib Anukul Chandra.
Das, Mr. Monmohan.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Srijut Narendra Nath.
Dutta Gupta, Miss Mira.
Dutta Mazumdar, Mr. Niharendu.
Edbar, Mr. Upendranath.
Emdadul Haque, Kazi.
Fazlul Huq, the Hon'ble Mr. A. K.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Golam Rabbani Ahammad, Maulvi.
Golam Sarwar Hosaini, Mr. Shah Syed.
Gupta, Mr. J. N.
Gyasuddin Ahmed Choudhury, Alhadj.
Hamilton, Mr. K. A.
Hasan Ali Choudhury, Mr. Syed.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, The Hon'ble Khan Bahadur Maulvi.
Hasina Murshed, Mrs., M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Idris Ahmed Mia, Maulvi.
Jonab Ali Majumdar, Maulvi.
Kazem Ali Mirza, Sahibzada Kasem Jah Syed.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Lahiri, Babu Ashutosh.
Mcpherson, Mr. G. P.
Mafizuddin Ahmed, Dr. (Begra).
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Banku Behari.
Mandal, Mr. Birat Chandra.
Mandal, Mr. Jogendra Nath.
Mandal, Mr. Krishna Prasad.
Manirazzaman Islamabadi, Maulana Md.
Maqbul Hosain, Mr.
Mohsin Ali, Mr. Md.
Mookerjee, The Hon'ble Dr. Syamaprasad.
Morgan, Mr. G., C.I.E.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Bahadur Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Muhammad Sulaiman, Khan Bahadur Maulvi.
Mukerjee, Mr. Taraknath, M.B.E.
Musharruf Hossain, Nawab, Khan Bahadur.
Mustaganesai Haque, Mr. Syed.
Mustafa Ali Dewan, Maulvi.
Nasker, Mr. Hem Chandra.
Pramanik, Mr. Tarinicharan.
Rahman, Khan Bahadur A. M. L.
Rajibuddin Tarafdar, Maulvi.
Roy, Mr. Charu Chandra.
Roy, Mr. Dhananjoy.
Roy, Kshirod Chandra, Rai Bahadur.
Roy, Mr. Manmatha Nath.
Roy, Mr. Patiram.
Sadaruddin Ahmed, Mr.
Sanyal, Mr. Sasanka Sekhar.
Sarkar, Babu Madhusudan.
Sen, Mr. Atul Chandra.
Sen, Mr. Dhirendra Nath.
Sen, Jogesh Chandra, Rai Bahadur.
Shahedali, Mr.
Shamsuddin Ahmed, the Hon'ble Mr.
Shamsuddin Ahmed Khondkar, Mr.
Singha, Babu Kshetra Nath.
Sirdar, Babu Litta Munda.
Stark, Mr. A. F.
Waliur Rahman, Maulvi.
Wordsworth, Mr. W. G., C.I.E.
Yousuf Mirza.
Zaman, Mr. A. M. A.

The Ayes being 35 and the Noes 104, the motion was lost.

The motion of Mr. Dhirendra Nath Datta that the demand of Rs. 1,71,00,000 for expenditure under the head "37—Education—General" be reduced by Rs. 100 was then put and lost.

The motion of Mr. Fazlur Rahman that the demand of Rs. 1,71,00,000 for expenditure under the head "37—Education—General" be reduced by Rs. 100 was then put and a division taken with following result:—

**AYES—35.**

Abdul Aziz, Maulana Md.
Abdul Hafiz, Mr. Mirza.
Abdul Hakim Vikramperi, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdulla-Al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Rahman Siddiqi, Mr.
Abdur Rashid Mahmood, Mr.
Abdur Rashood, Maulvi Md.
Abdus Shahood, Maulvi Md.
Abidur Reza Choudhury, Khan Bahadur Maulvi.
Abul Hashim, Maulvi.
Ahmed Ali Mridha, Maulvi.
Ahmed Hossain, Mr.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Dacca).

Fazlur Rahman, Mr. (Mymensingh).
Hafizuddin Choudhuri, Maulvi.
Hamiduddin Ahmed, Khan Sahib.
Jalaluddin Ahmed, Khan Bahadur Maulvi.
Mafizuddin Ahmed, Maulvi (Tippera).
Maniruddin Akhand, Maulvi.
Masud Ali Khan Pannl, Al-Hadj Maulvi.
Mohammed Ali, Khan Bahadur.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Nasarullah, Nawabzada K.
Nazimuddin, Khwaja Sir, K.C.I.E.
Sahebe-Alam, Mr. Syed.
Salim, Mr. S. A.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C.B.E.
Yusuf Ali Choudhury, Mr.

NOES—112.

Abdul Hafiz, Mr. Mia.
Abdul Hakim, Maulvi (Mymensingh).
Abdul Hamid Shah, Maulvi.
Abdul Majid, Maulvi (Mymensingh).
Abdul Wahab Khan, Mr.
Abdur Razzak, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Asharyya Choudhury, Maharaja Sashi Kanta, of Muktagacha, Mymensingh.
Ahmed Khan, Mr. Syed.
Alfazuddin Ahmed, Khan Bahadur Maulvi.
Aminullah, Khan Sahib Maulvi.
Asimuddin Ahmed, Mr.
Badruddoja, Mr. Syed.
Banerjee, the Hon'ble Mr. Pramatha Nath.
Banerjee, Mr. Sibnath.
Banerji, Mr. P.
Banerji, Mr. Satya Priya.
Barat Ali, Mr. Md.
Barma, Babu Premhari.
Barma, Mr. Puspajit.
Basu, the Hon'ble Mr. Santosh Kumar.
Birkmyre, Sir Henry, Bart.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Chakrabarty, Babu Narendra Narayan.
Chippendale, Mr. J. W.
Das, Babu Radhaanath.
Das, Rai Sahib Anukul Chandra.
Das, Mr. Monmohan.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Srijut Narendra Nath.
Datta, Mr. Dhirendra Nath.
Dolui, Mr. Harendra Nath.
Dutta Gupta, Miss Mira.
Dutta Mazumdar, Mr. Niharendu.
Edbar, Mr. Upendranath.
Emdadul Haque, Kazi.
Fazlul Huq, the Hon'ble Mr. A. K.
Ghose, Mr. Atul Krishna.
Giasuddin Ahmed, Mr.
Golam Rabbani Ahammad, Maulvi.
Golam Sarwar Hosaini, Mr. Shah Syed.
Gupta, Mr. J. N.
Gyasuddin Ahmed Choudhury, Alhadj.
Hasan Ali Chowdhury, Mr. Syed.
Hasanuzzaman, Maulvi Md.
Hashem Ali Khan, the Hon'ble Khan Bahadur Maulvi.
Hasina Murshed, Mrs., M.B.E.
Hatemally Jamadar, Khan Sahib Maulvi.
Idris Ahmed Mia, Maulvi.
Jalan, Mr. I. D.
Kazem Ali Mirza, Sahibzada Kawas Jah Syed.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Lahiri, Babu Ashutosh.
McPherson, Mr. G. P.
Mafizuddin Ahmed, Dr. (Bogra).
Maiti, Mr. Nikunja Behari.
Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mal, Mr. Iswar Chandra.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Banku Behari.
Mandal, Mr. Birat Chandra.
Mandal, Mr. Jogendra Nath.
Mandal, Mr. Krishna Prasad.
Maniruzzaman Islamabadi, Maulana Md.
Maqbul Hosain, Mr.
Mohsin Ali, Mr. Md.
Mookerjee, the Hon'ble Dr. Syamaprasad.
Morgan, Mr. G., C.I.E.
Muhammad Afzal, Khan Bahadur Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Muhammad Solaiman, Khan Bahadur Maulvi.
Mukerjea, Mr. Taraknath, M.B.E.
Mukerji, Mr. Dhirendra Narayan.
Mukherjee, Mr. S.
Mukherji, Dr. Sharat Chandra.
Musharruf Hosain, Nawab, Khan Bahadur.
Mustagawsal Haque, Mr. Syed.
Mustafa Ali Dewan, Maulvi.
Nasker, Mr. Hem Chandra.
Pramanik, Mr. Tarinicharan.
Rahman, Khan Bahadur A. M. L.
Rajibuddin Tarafdar, Maulvi.
Roy, Mr. Charu Chandra.
Roy, Mr. Dhananjoy.
Roy, Mr. Kiran Sankar.
Roy, Mr. Manmatha Nath.
Roy, Mr. Patiram.
Sanyal, Dr. Nalinaksha.
Sanyal, Mr. Sasanka Sekhar.
Sarkar, Babu Madhusudan.
Sen, Mr. Atul Chandra.
Sen, Mr. Dhirendra Nath.
Sen, Jogesh Chandra, Rai Bahadur.
Sen-Gupta, Mrs. Nellie.
Shahedali, Mr.
Shamsuddin Ahmed, the Hon'ble Mr.
Shamsuddin Ahmed Khondkar, Mr.
Singha, Babu Kshetra Nath.
Sinha, Srijut Manindra Bhusan.
Sirdar, Babu Litta Munda.
Stark, Mr. A. F.
Sur, Mr. Harendra Kumar.
Walter Rahman, Maulvi.
Wordsworth, Mr. W. C., C.I.E.
Yousuf Biram.
Zaman, Mr. A. M. A.

The Ayes being 35 and the Noes 112, the motion was lost.

The motion of Mr. P. Banerji that the demand of Rs. 1,71,00,000 for expenditure under the head "37—Education—General" be reduced by Rs. 100 was then put and lost.

The motion of Mr. Harendra Kumar Sur that the demand of Rs. 1,71,00,000 for expenditure under the head "37—Education—General" be reduced by Rs. 100 was then put and lost.

The motion of Babu Radhanath Das that the demand of Rs. 1,71,00,000 for expenditure under the head "37—Education—General" be reduced by Rs. 100 was then put and lost.

The motion of Maulvi Mafizuddin Ahmed that the demand of Rs. 1,71,00,000 for expenditure under the head "37—Education—General" be reduced by Rs. 100 was then put and lost

The motion of Babu Madhusudan Sarkar that the demand of Rs. 1,71,00,000 for expenditure under the head "37—Education—General" be reduced by Rs. 100 was then put and lost.

The motion of the Hon'ble Khan Bahadur M. Abdul Karim that a sum of Rs. 1,71,00,000 be granted for expenditure under the head "37—Education—General" was then put and agreed to

### 37—Education—Anglo-Indian and European.

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** Sir, on the recommendation of His Excellency the Governor I move that a sum of Rs. 11,22,800 be granted for expenditure under the head "37—Education—Anglo-Indian and European."

The motion was then put and agreed to.

### Adjournment.

It being 12 noon, the House was adjourned till 8-30 a.m. on Friday, the 20th March, 1942, at the Assembly House, Calcutta.

# Proceedings of the Bengal Legislative Assembly assembled under the Provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Friday, the 20th March, 1942, at 8-30 a.m.

**Present:**

Mr. Deputy Speaker (Mr. SYED JALALUDDIN HASHEMY) in the Chair, 8 Hon'ble Ministers and 203 members.

## STARRED QUESTIONS

**(to which oral answers were given)**

### Extension of service to officers in the Medical Department.

***177. Mr. RASIK LAL BISWAS:** (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state whether it is the accepted principle of Government that no extension should be given to any officer on his attaining the age of retirement?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether this principle is observed in the Medical Department?

(*c*) If not, will the Hon'ble Minister be pleased to state the reason thereof?

**MINISTER in charge of the PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Santosh Kumar Basu):** (*a*) Yes, it is the general principle.

(*b*) Yes, it is generally observed. In some special cases, however, extension has been granted in the exigencies of public service.

(*c*) For reasons applicable to the cases mentioned in (*b*), the honourable member is referred to the reply to his starred question No. 158 on the 16th March, 1942.

**Mr. MIRZA ABDUL HAFIZ:** Will the Hon'ble Minister be pleased to state the criterion of special cases in which extension has been granted?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** That would differ in individual cases.

**Mr. FAZLUR RAHMAN:** Will the Hon'ble Minister be pleased to state whether it is a fact that the extension in the cases mentioned in his answer (*c*) was granted with a view to shut out Muslim candidates being appointed?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** I do not at all accept that position.

**Mr. MIRZA ABDUL HAFIZ:** Will the Hon'ble Minister be pleased to state whether Government will consider the desirability of sticking strictly to the general principle that no extension should be given to any officer on his attaining the age of 55 years?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** I personally welcome that view but I am afraid that it cannot be given effect to.

**Government grant to Thana Dispensaries.**

***178. Mr. MANIRUDDIN AKHAND:** (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

(*i*) whether all the thana dispensaries in the Province are getting Government grant; and

(*ii*) what are the conditions for such a grant?

(*b*) If the answer to (*a*) (*i*) is in negative, will the Hon'ble Minister be pleased to state the reason therefor?

(*c*) Is the Hon'ble Minister considering the desirability of sanctioning grants to all thana dispensaries?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** (*a*) (*i*) No.

(*ii*) and (*b*) The honourable member is referred to the reply given to clause (*b*) of starred question No. 159 on the 16th March, 1942.

(*c*) No.

**Sj. NARENDRA NATH DAS GUPTA:** Will the Hon'ble Minister be pleased to give the reason why he does not see the desirability of sanctioning grants to thana dispensaries?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** Certain conditions have got to be fulfilled by the local bodies concerned. That is the difficulty which stands in the way of acceding to this request.

**Distress in Chatalpar Union, Brahmanbaria, Tippera.**

***179. Mr. JAGAT CHANDRA MANDAL:** (*a*) Is the Hon'ble Minister in charge of the Revenue Department aware that acute distress prevails amongst the cultivators in the Chatalpar Union Board of the Brahmanbaria subdivision in the district of Tippera?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps he proposes to take in the matter?

**MINISTER in charge of the REVENUE and JUDICIAL and LEGISLATIVE DEPARTMENTS (the Hon'ble Mr. Pramatha Nath Banerjee):** (*a*) Yes.

(*b*) (1) A sum of Rs.200 has been given in gratuitous relief.

(2) A sum of Rs.1,000 was spent by the District Board in test relief work.

Test relief work is going on now on the road from Bholakut to Chatalpar.

(3) A sum of Rs.4,000 has been spent on paddy husking. The work continues and about 400 families are thus being regularly helped.

(4) A sum of Rs.10,000 has been given as agricultural loan. A further sum of Rs.5,000 is being distributed to enable the cultivators to purchase seeds, etc.

**Dr. SURESH CHANDRA BANERJEE:** Will the Hon'ble Minister be pleased to state why Government does not introduce hand-spinning as a relief work in such cases?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** The matter, so far as I am aware, is governed by certain rules and hand-spinning is, I think, in my opinion a method of test relief.

**Maulvi MAFIZUDDIN AHMED:** Will the Hon'ble Minister be pleased to state whether earthwork as test relief work has been introduced in that area?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** I am afraid I have not got the information here but I shall make an enquiry if the honourable member so desires.

**Sj. MANINDRA BHUSAN SINHA:** Will the Hon'ble Minister be pleased to state whether the Famine Code does not exclude hand-spinning?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** I am afraid I cannot give that information. I do not myself understand the Famine Code very well. It is such a complex code that as I explained the other day, Government have framed a Famine Manual. As soon as time is available, a simplified code can be introduced.

**Dr. SURESH CHANDRA BANERJEE:** Is the Hon'ble Minister aware that hand-spinning as a measure of relief is being introduced by some private organisations, specially the Congress organisation in the district of Tippera?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** I believe so.

**Mr. MIRZA ABDUL HAFIZ:** Is the Hon'ble Minister aware that the sum of Rs. 10,000 given as agricultural loan is not sufficient at all?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** In this matter Government will ordinarily be guided by the recommendations made by District Officers and the best course I can suggest to the honourable member is to approach the District Officials in the first instance.

**Mr. DHIRENDRA NATH DATTA:** Is the Hon'ble Minister aware that paddy-husking has been stopped in that area?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** No.

**Mr. DHIRENDRA NATH DATTA:** Will the Hon'ble Minister be pleased to enquire whether that is causing great distress or not?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** Yes.

**Dr. SURESH CHANDRA BANERJEE:** In view of his answer to an earlier question of mine, will the Hon'ble Minister be pleased to make an early enquiry into the measures that are being taken by this Government and find out if hand-spinning as a measure of test relief is successful, and, if found successful, will he please ask the Government to introduce similar measures in other areas?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** So far as other areas are concerned, that is a matter which is not within the purview of the question asked.

**Maulvi MAFIZUDDIN AHMED:** Will the Hon'ble Minister be pleased to state whether it is a fact that no grant has been made up till now to the District of Tippera for earthwork test relief?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** If the honourable member looks at the answer to question No. 179, he will find the statement about the various measures taken to give relief to the cultivators. If he wants further information, I shall be glad to make an enquiry.

**Gratuitous Relief in Cox's Bazar subdivision.**

***50. Khan Bahadur Maulvi JALALUDDIN AHMAD:** (*a*) Is the Hon'ble Minister in charge of the Revenue Department aware—

(*i*) that scarcity prevails generally in Cox's Bazar subdivision on account of economic distress and last floods;

(*ii*) that destitute persons are reported to have died of starvation; and

(*iii*) that the matter was reported to the Collector of Chittagong?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what steps the Government propose to take to help the people by way of gratuitous relief?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** (*a*) (*i*) There was distress till the beginning of November, 1941, in Cox's Bazar subdivision partly due to destruction of *aus* crops in certain areas by flood and partly due to the high price of foodstuff.

(*ii*) and (*iii*) Certain persons were alleged to have died of starvation. An enquiry was made in every such case. In no case was death proved to be due to starvation though malnutrition might have been a remote cause in some cases.

(*b*) Free passes for forest produce were issued in all deserving cases where houses were badly damaged or destroyed. The value of each pass is Rs.25. Some money was also advanced from the Ram Lal Mukherjee's Fund to help those whose houses had been destroyed by floods to reconstruct them.

**Flood of Damodar river and Government Relief Measures.**

***51. Mr. BANKU BEHARI MANDAL:** Will the Hon'ble Minister in charge of the Revenue Department be pleased to state—

(*a*) the number of villages in the districts of Burdwan and Bankura affected by the recent flood of Damodar river; and

(*b*) the amount that has been granted to ameliorate the condition of the distressed people of the said area?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** (*a*) *Burdwan.*—183 villages, of which 30 villages were partly affected.

*Bankura.*—About 75 villages, of which 45 villages were slightly affected.

(*b*) *Burdwan.*—Rs.3,217 gratuitous relief, Rs.400 agricultural loans and Rs.9,081 free grant for rebuilding damaged or destroyed huts.

*Bankura.*—Rs.1,200 gratuitous relief and Rs.2,325 agricultural loans.

In addition Rs.370 raised by the Local Officers has been distributed as gratuitous relief and about 20 maunds of *rabi* seeds has been distributed free.

### Amounts paid as relief in Barisal and Noakhali.

*52. **Mr. SYED ABDUL MAJID:** Will the Hon'ble Minister in charge of the Revenue Department be pleased to state the amounts that have been paid for distribution as—

(*i*) agricultural loan,

(*ii*) gratuitous relief, and

(*iii*) test relief works

in the district of Bakarganj and Noakhali, respectively, in the current financial year?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** The following amounts have been distributed:—

| | Bakarganj. | Noakhali. |
|---|---|---|
| | Rs. | Rs. |
| Agricultural loan .. .. | 24,24,589 | 12,49,841 |
| Gratuitous relief .. .. | 3,97,134 | 2,10,218 (including Rs.1,25,000 for paddy husking). |
| Test relief works .. .. | 6,20,000 | 50,960 |

### Revisional settlement of Jalpaiguri district.

*54. **Babu KHAGENDRA NATH DAS GUPTA:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether it is a fact that the Government have decided to make a revisional settlement operation in the permanently settled portion of the Jalpaiguri district?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) whether the opinion of the Deputy Commissioner of the district has been taken in this matter; and

(*ii*) whether the present economic depression prevailing in the area has been taken into consideration before coming to such a decision?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** The matter is under consideration and no final decision has been reached yet.

**Enhancement of rent of the Sundarban Estates in 24-Parganas.**

***55. Maharaja SASHI KANTA ACHARYYA CHOUDHURY, of Muktagacha:** (*a*) Has the attention of the Hon'ble Minister in charge of the Revenue Department been drawn to the increment of land revenue of the Sundarban Estates of the district of 24-Parganas by more than 500 per cent.?

(*b*) Is it a fact that the increment of rent has been suspended for ten years by the amendment of Bengal Tenancy Act, 1885?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state what action, if any, he proposes to take for the suspension of the increment of land revenue till after the said period of ten years?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** (*a*) Yes, there has been such increase in some cases.

(*b*) Yes.

(*c*) The question of giving relief to the proprietors of such estates is now under consideration of Government.

**Industrial schools managed by Government and receiving grants-in-aid.**

***59. Mr. GEORGE MORGAN:** Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to lay on the table a statement showing—

(*a*) the names of industrial schools in the Province managed entirely at the cost of the Government;

(*b*) the names of industrial schools receiving contribution from the Government; and

(*c*) the amount of annual grant given to each school for the year 1941-42?

**Mrs. HASINA MURSHED (on behalf of the Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca):** A statement is placed on the Library Table.

**Flood in Burdwan Division and Government Relief.**

*66. **Mr. TARAK NATH MUKERJEA:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether there had been a flood during the months of September and October, 1941, in the districts of Burdwan, Hooghly, Howrah, Midnapore and Bankura?

(*b*) If so, will the Hon'ble Minister be pleased to state—

(*i*) what is the approximate extent of damage caused to crops in the respective districts;

(*ii*) what is the approximate number of houses that have collapsed due to the floods in the respective districts;

(*iii*) what steps have been taken to render necessary relief to the people of the respective districts who have suffered by the flood; and

(*iv*) what is the total amount of gratuitous relief sanctioned in the respective districts?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** (*a*) There were floods in October, 1941, in the districts of Burdwan, Hooghly, Howrah, Midnapore and Bankura.

(*b*) A statement is laid on the Table.

*Statement referred to in reply to clause (b) of starred question No. 66.*

(*b*) (*i*) *Burdwan.*—25 per cent. in about 222 square miles.

*Hooghly.*—20 per cent. in about 120 square miles.

*Howrah.*—Very slight.

*Midnapore.*—49 square miles were slightly affected and 40 square miles badly and extent of damage to crops varied from 2 annas to 8 annas.

*Bankura.*—Slight.

(*ii*) *Burdwan*—8,726.

*Hooghly*—about 750.

*Howrah*—about 125.

*Midnapore*—about 1,200.

*Bankura*—about 550.

(*iii*) The following amounts have been distributed for giving relief to the people affected:—

| | Rs. |
|---|---|
| *Burdwan*— | |
| Gratuitous relief ... ... | 3,667 |
| Agricultural loans ... ... | 400 |
| Free grant for rebuilding of huts ... | 9,081 |
| *Hooghly*— | |
| Gratuitous relief ... ... | 9,600 |
| Free grant for rebuilding of huts ... | 1,000 |
| *Howrah*— | |
| Agricultural loans ... ... | 32,500 |
| *Midnapore*— | |
| Agricultural loans ... ... | 8,308 |
| Gratuitous relief ... ... | 4,635 |
| Free grant for rebuilding of huts ... | 5,000 |
| *Bankura*— | |
| Agricultural loans ... ... | 2,325 |
| Gratuitous relief ... ... | 1,200 |

About 20 maunds of *rabi* seeds have also been distributed free.

| | |
|---|---|
| (*iv*) Burdwan ... ... | 44,864 |
| Hooghly ... ... | 12,600 |
| Howrah ... ... | Nil |
| Midnapore ... ... | 5,000 |
| Bankura ... ... | 19,200 |

**October flood havoc in districts of Bengal.**

*67. **Rai HARENDRA NATH CHAUDHURI:** Will the Hon'ble Minister in charge of the Revenue Department be pleased to state—

(*a*) the extent of havoc wrought by the last October floods in Damodar and such other rivers in the Western and Eastern districts of Bengal; and

(*b*) the steps, if any, that have been taken by the Government to provide relief for such flood-stricken areas in Bengal?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** A statement is laid on the Table.

*Statement referred to in reply to starred question No. 67.*

In October, 1941, there were floods in some rivers in the districts of Bankura, Birbhum, Burdwan, Hooghly, Howrah, Midnapore and Murshidabad. The extent of damage caused and the steps taken by Government to provide relief to the affected people are stated below:—

BANKURA.

About 75 villages were affected by the floods of which 45 were affected very slightly. In the affected areas some damage was caused to the standing crops and some mud huts also collapsed. But it is reported that the benefit to the growing *aman* crop in these areas has been far greater than the damage caused by the floods. A sum of Rs.1,200 was sanctioned for distribution as gratuitous relief to people whose houses had collapsed. A sum of Rs.2,325 was also distributed as agricultural loans.

BIRBHUM.

About 500 families belonging to the landless labouring class were rendered homeless by the collapse of their mud huts. The damage to early *aman* paddy locally known as *aus* was negligible while the rains were of great benefit to the *aman* paddy. There was no loss of life or appreciable loss of cattle.

A sum of Rs.1,000 was sanctioned for giving gratuitous relief to the people in distress. A sum of Rs.5,000 was also sanctioned out of the grant from the Indian Peoples' Famine Trust for giving grants to landless labourers to enable them to rebuild their huts. Arrangements were also made for giving agricultural loans to the extent necessary.

BURDWAN.

The damage caused to the *aman* crop by the overflowing of the Ajoy and the breach in the left embankment of the Damodar was slight. The number of huts damaged or destroyed was also very few. The damage caused in the trans-Damodar region was however considerable. The total number of villages affected in the district is 133, of which 30 were affected only slightly.

Out of Rs.12,000 in the hands of the Collector for distribution as gratuitous relief, a sum of Rs.3,200 was immediately placed at the disposal of the relief officers. Arrangement was also made for the

purchase of rice from outside for areas where foodstuff was not available and doles were distributed in kind in those areas. Arrangements were also made for distribution of agricultural loans. A sum of Rs.9,000 was also sanctioned out of the grant from the Indian Peoples' Famine Trust for helping poor people to rebuild their huts.

HOOGHLY.

The total area affected was about 120 square miles. No loss of life occurred but there was some loss of cattle by the fall of mud huts. Some damage was caused to *aus* paddy, and jute which though harvested were still in the fields or steeped in water, but as a bumper harvest of *aman* paddy is expected, the damage caused to *aus* and jute will not affect the tenants materially on the whole.

A sum of Rs.5,000 was sanctioned for distribution as gratuitous relief. A sum of Rs.1,000 was also sanctioned out of the grant from the Indian Peoples' Famine Trust for helping landless labourers to reconstruct their houses.

HOWRAH.

The floods caused only slight damage to crops. A sum of Rs.16,000 has been sanctioned for distribution as agricultural loans.

MIDNAPORE.

Crops were destroyed in several villages. A number of huts collapsed.

A sum of Rs.5,000 was sanctioned for distribution as gratuitous relief and arrangements were made for distribution of agricultural loans. A sum of Rs.5,000 was also sanctioned out of the grant from the Indian Peoples' Famine Trust for giving free grants to poor people to enable them to reconstruct their huts.

MURSHIDABAD.

An area of about 120 square miles in the Kandi subdivision was affected. About 1,000 mud huts collapsed. There was no loss of life or cattle. In other subdivisions, the damage was negligible.

A sum of Rs.3,000 was sanctioned for distribution as gratuitous relief. A sum of Rs.40,000 was also sanctioned for distribution as agricultural loans in the affected area to enable the agriculturists to buy seeds of *boro* paddy and *chaitali* crops.

**Cyclone relief in Bakarganj, Noakhali and Tippera districts.**

*68. **Rai HARENDRA NATH CHAUDHURI:** With reference to the reply given to starred question No. 85 on the 10th September, 1941, will the Hon'ble Minister in charge of the Revenue Department be pleased to state—

(*a*) the amounts that have been given in the three districts of Bakarganj, Noakhali and Tippera as—

(*i*) gratuitous relief,

(*ii*) test relief,

(*iii*) agricultural loans, and

(*iv*) house-building loans

to non-agriculturists up to date; and

(*b*) the prospects of paddy crops in each of the said three affected districts?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** (*a*) A statement is laid on the Table.

(*b*) An excellent *aman* crop is expected in these areas except in some portions of Noakhali and Tippera districts.

*Statement referred to in reply to clause (a) of starred question No. 68.*

| | | Rs. |
|---|---|---|
| (*i*) Bakarganj | ... | 4,13,300 |
| Noakhali | ... | 2,25,000 |
| Tippera | ... | 2,54,000 |
| (*ii*) Bakarganj | ... | 7,25,000 |
| Noakhali | ... | 60,000 |
| Tippera | ... | 50,000 |
| (*iii*) Bakarganj | ... | 26,70,000 |
| Noakhali | ... | 13,40,000 |
| Tippera | ... | 8,02,000 |
| (*iv*) Bakarganj | ... | 1,50,000 |
| Noakhali | ... | 50,000 |
| Tippera | ... | Nil |

**Agricultural loan to riot-affected people of Narayanganj subdivision.**

*70. **SJ. NARENDRA NATH DAS GUPTA:** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether it is a fact that agricultural loan instead of gratuitous relief is being given to the riot-affected people of the Narayanganj subdivision?

(*b*) Is it a fact that the Subdivisional Officer, Narayanganj, assured the people that the said loan will not be recovered from them?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state whether the assurance given by the said Subdivisional Officer has the approval of Government?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** It is not a fact that the agricultural loans instead of gratuitous relief have been given.

For the relief of the people of the riot-affected areas of the Narayanganj subdivision, Government sanctioned Rs.1,20,000 for distribution as gratuitous relief, and Rs.1,25,000 for distribution as agricultural loans. In the beginning, the distressed people were given gratuitous relief in the shape of foodstuff, etc., to the extent of Rs.35,000. Agricultural loans were also advanced to them for house-building, maintenance, purchase of utensils and implements, etc., and about Rs.51,000 was distributed for the purpose up to middle of May, 1941. Subsequently Government decided that this amount given as agricultural loans should be treated as having been given as gratuitous relief. Thus, the amounts that had originally been distributed as agricultural loans were subsequently converted into gratuitous relief, and the assurance of the Subdivisional Officer, Narayanganj, referred to in the question was in respect of the amounts thus converted.

Later on, a further sum of more than Rs.50,000 has been given as gratuitous relief.

Agricultural loans are, however, being issued to the *talukdars* and *jotedars* to enable them to tide over the difficulty caused to them by the riots, and a further sum of Rs.1,50,000 has been sanctioned for the purpose. A further sum of Rs.1,00,000 has also been sanctioned for loans to traders to enable them to replace their stocks which had been destroyed so that they may start their business again. The maximum amount admissible to a *talukdar* or *jotedar* is Rs.500, and that to a trader Rs.100 repayable in 5 years.

**Mr. SIBNATH BANERJEE:** On a matter of privilege, Sir, most of us have lost our old question papers and, therefore, unless the questions are as well read out it is difficult to intelligently understand to what the answers relate.

**Mr. DEPUTY SPEAKER:** All right. Both the question and the answer may be read out by the Hon'ble Minister.

(Accordingly the Hon'ble Minister read out the questions and answers of both Nos. *70 and *75.)

### Darjeeling Improvement Fund Income and Expenditure.

***75. Mr. DAMBER SINGH GURUNG:** Will the Hon'ble Minister in charge of the Revenue Department be pleased to state, showing for the years 1939-40 and 1940-41,—

(*a*) the total amount of revenue received by the Darjeeling Improvement Fund from the following subdivisions:—

(1) Kalimpong,

(2) Kurseong and Sadar,

(3) Siliguri; and

(*b*) the amount spent for each subdivision during the said period?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** A statement furnishing the information is laid on the Table.

*Statement referred to in reply to starred question No. 75.*

*Income.*

| | | 1939-40. | 1940-41. |
|---|---|---|---|
| | | Rs. | Rs. |
| Sadar subdivision | .. | 43,666 | 45,978 |
| Kalimpong subdivision | .. | 78,196 | 87,612 |
| Siliguri subdivision | .. | 49,158 | 54,669 |
| Kurseong subdivision | .. | 1,366 | 2,700 |
| Total | .. | 1,72,386 | 1,90,959 |

*Expenditure.*

| | | 1939-40. | 1940-41. |
|---|---|---|---|
| | | Rs. | Rs. |
| Sadar subdivision | .. | 20,535* | 24,922* |
| Kalimpong subdivision | .. | 24,079 | 29,176 |
| Siliguri subdivision | .. | 23,728 | 24,914 |
| Kurseong subdivision | .. | 2,626 | 901 |
| Total | .. | 70,968 | 79,913 |

*These sums include the cost of printing which cannot be shown subdivision by subdivision.

In addition to the above expenditure, the following sums were contributed to the local bodies and institutions noted below:—

| | 1939-40. | 1941-42. |
|---|---|---|
| | Rs. | Rs. |
| Lump contribution to the Darjeeling District Board .. | 32,000 | 50,000 |
| Contribution to the Darjeeling District Board for two-thirds cost of the District Engineer's Establishment .. | 17,246 | 18,000 |
| Contribution to the Public Health Department .. | 1,825 | .. |
| Contribution to the Natural History Museum, Darjeeling .. | 2,900 | 2,900 |
| Contributions to— | | |
| (1) Kalimpong Advisory Committee, (2) Siliguri Union Board for conservancy work, and (3) Kalimpong *mela* | 1,355 | 1,633 |
| Other contributions .. | .. | 1,104 |
| | 55,326 | 73,637 |
| Total expenditure .. | 1,26,294 | 1,53,550 |

## UNSTARRED QUESTIONS

### (to which answers were laid on the table)

### Permanent clerks of Civil Courts in Bengal.

**44. Mr. RASIK LAL BISWAS:** Will the Hon'ble Minister in charge of the Judicial and Legislative Department be pleased to lay on the Table a statement showing, district by district, since 1st January, 1938—

(*a*) the number of clerks appointed on permanent basis in the Civil Courts of the Province; and

(*b*) the number of them that are from—

(1) Scheduled Castes,

(2) Caste Hindus, and

(3) Muslims?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** A statement is laid on the Table.

*Statement referred to in unstarred question No. 44.*

| Districts. | Number of clerks appointed on permanent basis since 1st January, 1938. | Scheduled Castes. | Caste Hindus. | Muslims. | Remarks. |
|---|---|---|---|---|---|
| Bakarganj .. | 12 | 2 | 5 | 4 | 1 (others). |
| Pabna-Bogra .. | 21 | 2 | 10 | 9 | |
| Midnapore .. | 5 | .. | 5 | .. | |
| Chittagong .. | 12 | 1 | 6 | 5 | |
| 24-Parganas .. | 6 | 1 | 2 | 3 | |
| Dacca .. | .. | .. | .. | .. | |
| Tippera .. | 1 | .. | 1 | .. | |
| Khulna .. | 14 | 3 | 3 | 8 | |
| Mymensingh .. | 4 | .. | 3 | 1 | |
| Hooghly .. | 6 | .. | 4 | 2 | |
| Dinajpur-Jalpaiguri and Darjeeling. | 10 | .. | 6 | 4 | |
| Faridpur .. | 8 | 1 | 4 | 3 | |
| Burdwan .. | 21 | 2 | 10 | 9 | |
| Noakhali .. | 5 | .. | 3 | 1 | 1 (others). |
| Murshidabad .. | 10 | 2 | 3 | 5 | |
| Birbhum .. | 5 | 1 | 2 | 2 | |
| Rangpur .. | 14 | 2 | 7 | 5 | |
| Rajshahi-Malda .. | 19 | 1 | 11 | 7 | |
| Jessore .. | 3 | .. | 2 | 1 | |
| Nadia .. | 1 | .. | 1 | .. | |
| Howrah .. | 8 | .. | 6 | 2 | |
| Bankura .. | 2 | .. | 1 | 1 | |
| Total | 187 | 18 | 95 | 73 | 2 |

**Babu MADHUSUDAN SARKER:** Will the Hon'ble Minister be pleased to state whether some injustice is being done in the appointment of Scheduled Caste candidates in his department?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** The question of justice or injustice is a question of opinion, but I shall see that so far as this department is concerned, in regard to new appointments the principles underlying the Communal Ratio Rules are followed as far as possible.

**Supply of yarn to handloom weavers and hosiery manufacturers.**

**76. Mr. SURENDRA NATH BISWAS:** (*a*) Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state whether—

(*i*) the yarn required for the purposes of handloom weaving and hosiery goods manufacturing in Bengal is mostly imported from outside the Province;

(*ii*) the supply of yarn for the handlooms and hosiery factories in Bengal has been reduced;

(*iii*) a large number of handloom weavers and hosiery manufacturers are going without work for want of yarn; and

(*iv*) as a result thereof they are passing through economic distress?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what arrangement, if any, the Provincial Government have made for supplying yarn to the handloom weavers and hosiery manufacturers?

**MINISTER in charge of the AGRICULTURE and INDUSTRIES DEPARTMENT (the Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca):** (*a*) and (*b*) The honourable member is referred to the reply given to starred question No. 120, dated the 10th March, 1942.

## STARRED QUESTION

**(to which oral answer was given)**

**Establishment of Jute Trading Boards.**

***157. Maulvi M. MOSLEM ALI MOLLAH:** Will the Hon'ble Minister in charge of the Agriculture and Industries Department be pleased to state what action have the Government taken for the establishment of jute *trading* boards in different centres of the Province as reported by the Jute Enquiry Committee?

**Mrs. HASINA MURSHED (on behalf of the Hon'ble Nawab Khwaja Habibullah Bahadur, of Dacca):** I do not find any recommendation made by the Jute Enquiry Committee about *trading* boards.

Assuming, however, that the question refers to "grading" boards (Chapter VI, page 42 of Volume I of the Report) not "trading" boards as printed, I would inform the honourable member that before any such Boards could be set up the whole question of grades and standards for Loose Jute as discussed in Professor Todd's Interim Report must first be settled. Unfortunately very little progress has been made in that matter. The Indian Jute Mills have made a tentative move in the matter and the outcome of that may be awaited.

### Statement by the Leader of the Opposition.

**Mr. DEPUTY SPEAKER:** Sir Nazimuddin, will you make your statement now?

**Khwaja Sir NAZIMUDDIN:** I find the Hon'ble Chief Minister is not here. I would like to make it later on when he is in the House.

**Mr. DEPUTY SPEAKER:** I will give you an opportunity as soon as he comes.

## DEMAND FOR GRANTS.

### 63—Extraordinary Charges in India.

**The Hon'ble Mr. SANTOSH KUMAR BASU:** Sir, on the recommendation of His Excellency the Governor of Bengal I beg to move that a sum of Rs. 1,24,81,000 be granted for expenditure under the head "63—Extraordinary Charges in India".

**Khan Bahadur FAZLUL QADIR:** Sir, I beg to move that the demand for Rs. 1,24,81,000 for expenditure under the head "63—Extraordinary Charges in India" be reduced by Rs. 100. The object of the motion is to raise discussion about the policy and programme of expenditure.

Sir, the observations which I propose to make in support of my cut motion are divided into 7 main parts, namely, (1) Evacuation, (2) Defence, (3) Recruitment, (4) Village Defence, (5) Fire Arms, (6) Military Training, and (7) Civic Guards.

As regards evacuation, the total expenditure under this head is estimated to be for 1941-42 Rs. 1,75,66,000 and for 1942-43 Rs. 4,02,60,000 including the grant of the Central Government. Many items of expenditure have been detailed therein. A sum of

Rs. 15 lakhs has been provided for relief of persons rendered homeless by air attacks but no separate provision has been made for persons rendered homeless by order of evacuation. The first evacuation order in India has been passed in the district of Chittagong. The miserable plight to which the villagers affected by the order have been reduced is beyond conception and imagination. The scanty provision made by the Government for their removal is hopelessly inadequate.

The description of this situation which the Hon'ble Minister gave in the Council the other day is quite incomplete and unsatisfactory. I gave notice of a short-notice question on 26th February, 1942, asking detailed information regarding the evacuation but no reply has yet been given for reasons best known to Government.

However, the other day the Hon'ble Minister had an informal discussion with the M.L.A.'s of Chittagong including myself and assured us that he would try to help the evacuees as far as possible but we want a definite assurance from him now as to the extent to which he is prepared to help them as regards immediate shelters, maintenance, compensation, land for cultivation, protection of their domestic animals, special provisions for the families of seamen abroad and other persons who have joined the war, suspension of revenue, rent and all kinds of taxes and other liabilities. This is so urgent that no time should be lost. The District Magistrate of Chittagong should be fully authorised to give all sorts of relief for the said purpose and be given free hand in spending moneys. We have every confidence in Mr. T. B. Jameson, the District Magistrate, who is an experienced and sympathetic officer.

Sir, I propose that within a radius of 12 miles from the places of evacuation all educational institutions, except in the town areas, should be closed down and the evacuees temporarily housed in the school buildings until such time as suitable sheds are provided for them. As Norwester storms always pass over Chittagong during the months of March and April, the suffering of the evacuees will be beyond human conception if no shelters are provided immediately; it is possible that many of these unfortunate people will have to face death. I, therefore, strongly urge the Government to take timely action to relieve the distress.

As regards item No. 2, "Defence", troops have been stationed in Double Mooring Police Station which comprises 4 unions, namely Patenga, Halisahar, Kuttali and Agrabad. Their camps have been scattered promiscuously almost intermingled with dwelling houses. This is causing serious inconvenience to the villagers. At present only the whole of Patenga and a part of Halisahar have been evacuated. Possibly other villages will have to be similarly evacuated in future. So it is desirable that all arrangements should be made beforehand for providing shelters for future evacuees if need be.

So far as I know—and I have seen these villages myself—no arrangements have been made there for air-raid precautions and except in the city no slit trenches have been dug. For the *busti* people of the town more shelters and slit trenches should be provided. Special attention should also be given to the Double Mooring Police Station.

Then I come to the third point—Recruitment. Coming to the question of recruitment in the various branches of Civil Defence, I regret to have to say that Muslims are not getting their due share of appointments. There is a rumour that the Communal Ratio Rules have been relaxed in the case of these services. I am inclined to believe this rumour because I understand that in the last February session of the Civil Defence Instructors' training course there were only two Muslims out of 22 Instructors deputed for training from the various districts of Bengal. On the 23rd February last I enquired by a short-notice question whether there was any truth in this rumour and, if so, what was the reason for this departure from the accepted rules, but Government has refused to accept it as a short-notice question. Is there any reason to question the urgency of the information wanted? Would it involve a herculean labour to say just "yes" or "no" to my query? Government is aware how, for reasons well known, Muslims have always been sensitive over the question of Muslim appointments in the various Government services. So far as the Defence Services are concerned there is a persistent rumour that their claims are being almost completely ignored and that jobberies are going on unfettered. Was it, therefore, at all unnatural for me to expect an immediate reply to a short-notice question put with a view to draw attention of the House to what was actually happening behind the screen and to seek for remedy before it was too late? Many appointments have already been made and many are surely going to be made. I have cited above one case out of many. Why not give us the fact at once and remove suspicion and apprehension if they are baseless? Why should Government resort to the same delaying tactics and trickeries with which they started their new life? Are we to presume that they are shirking answer because it will make them uncomfortable before the House? Sir, we have heard it said that the Hon'ble Chief Minister has commissioned Dr. Syamaprasad Mookerjee to be the custodian of Muslim interest in Bengal and he has himself taken over the duty of guarding Hindu interest. This is all very well, but why this hesitation to answer that simple question I asked? Is it because the facts would show that what Mr. Fazlul Huq really meant by this mutual understanding—this sacred pact—was that he would give all to the Hindus and Dr. Syamaprasad Mookerjee would take all for the Hindus and at the expense of the Muslims? If this is the policy of "give and take" under the New Order, let us all look up to the heavens and say, "O God! save us from our friends—from both of them, and once for all; let us not hear

them again". Excuse me, Sir, if I have said hard words and spoken with a strong feeling which is unusual for me. I could not resist it. Nobody could resist it—such is the feeling everywhere. You all know it. The Hon'ble Ministers know better than anybody else what is the feeling that is running through the length and breadth of the country since they were installed in their present unenviable position.

There is another matter in connection with Defence Services to which I would draw the attention of Government. I am told that discretionary powers have been given to the A.R.P. Controller to give different pay and allowances to men of the same cadre. This is sure to give opportunities for favouritism and is already creating discontent among the officers. Government should make immediate enquiries on the subject and fix the pay and allowance of officers of all grades so as to leave no room for differential treatment at the will of the appointing authorities for which there is no justification. For instance, there is no reason why officers appointed to the grade of Instructors should get different pay, because their standard of qualifications may differ. The most equitable principle to follow as is followed in all services is to see that a man once he is considered suitable and is appointed to a particular grade, gets the same pay as that which others in the same grade are getting, even if his educational qualifications may suffer by comparison.

As regards No. 4—Village Defence Party, Government have not yet taken up in right earnest the organisation of village defence parties. Lately some such parties were formed in the northern part of the Chittagong district when there had been some cases of theft of telegraphic wires at night. Besides, many people are running to the villages from emergent areas with their life's savings without any protection worth the name, and thefts and dacoities are consequently increasing. Village defence parties if carefully organised will surely create a sense of security in the countryside. In Chittagong telegraph and railway lines pass by the side of the hills. Members of the existing defence parties are guarding the lines at night but they are not provided with any arm or equipment. They must be provided with some simple equipments such as umbrellas, lamps, and spears without which night patrol is neither possible nor effective. Will the Government be pleased, therefore, to go into the question and see that such parties are multiplied in every nook and corner of the province?

I am tempted, Sir, to say just a word on the most important question of withdrawing the Arms Act. I venture to make these observations even at the risk of being accused of rushing in where angels fear to tread. But, Sir, we are passing through extraordinary times, unprecedented in the history of the country, nay of the world itself.

We are facing dangers that threaten the home and hearth of all men—great or small, rich or poor. There is no wonder, therefore, if all of them think alike, feel alike and speak alike. I say give us arms to protect our lives and properties against hooliganism at any rate, if not against anything else—against lawlessness, murders, arsons and dacoities that are bound to be rampant at the first appearance of danger if, God forbid, such a thing does happen. That beautiful city of Rangoon, they say, was destroyed by local hooligans. Will the Government take lesson from this and do the needful before it is too late?

Allow me, Sir, to make a few remarks on the much-talked-of question of introducing compulsory military training in the country. I know this is a subject outside the jurisdiction of Local Government. Nevertheless I feel, as many like myself do feel, that a strong provincial Government capable of making their existence felt, can use their influence to push on the subject and try to secure a long overdue privilege. We have heard that the present Ministry of Bengal is anxious to concentrate attention on the establishment of communal harmony in the province. If this is really so they can attain their object by introducing military training among all citizens irrespective of caste and creed. I am told that the first lesson they give in course of such training is one that relates to the duties of citizenship, which creates a cosmopolitan outlook in which distinction of caste, creed or colour finds no place. This is the reason why we never have heard of communal troubles among soldiers. There are composite regiments in which we find Muslims, Hindus, Sikhs, Pathans and Bengalees living together, fighting together and dying together. They never think for a moment whether they are Muslims or Hindus. Look at the problem from whatever point of view you like, you will have to admit that it is high time that we get this privilege without further delay. We may have failed in our attempts in the past, but I am confident that a genuine and sustained effort made by the Local Government at this psychological moment will succeed.

From all accounts our Civic Guards have been doing very good work. They get training in drill from the military, which stand them in good stead. They go out on patrol duties at night, often spend sleepless nights and face the inclemencies of weather without murmur. They get an allowance of six annas per night patrol. They have to attend patrol duty weekly once. So their remuneration does not exceed Rs. 1-8 a month. It is too low. At least eight annas should be given per night patrol. But they lack proper equipments, having nothing more than a hat, a shirt and a short. They must be provided with a few other articles such as shoes and umbrellas, waterproofs and jersey. These men often aspire to secure appointments in Government offices. But the tendency is to pass them over when candidates of high educational qualifications are in the field. In my opinion

this is wrong. When members of the Civic Guard possess the minimum standard of qualification they should ordinarily get preference. In emergency like this, men who have been serving the country at personal risk and the sacrifice of all amenities of life should receive special consideration. Public spirit and self-sacrifice ought to make up for the deficiency in academic qualifications in these days.

In conclusion I urge the Government to take into serious consideration the observations I have made——

(At this stage the member having reached the time-limit resumed his seat.)

**Mr. JOGESH CHANDRA GUPTA:** Mr. Deputy Speaker, Sir, I beg to move that the demand for Rs. 1,24,81,000 for expenditure under the head "63—Extraordinary Charges in India" be reduced by Rs. 100.

Sir, I had occasion during the general discussion of the Budget to offer remarks regarding the inadequacy of the measures and the want of public co-operation as regards the civil defence measures. Since then a Conference was held and the Hon'ble Minister was assured of public co-operation if he chose to accept the offer and the only condition for getting the public co-operation was that the policy and the line of action which will be laid down will be the function of that Committee. I thought that the urgency of the matter required that the Committee should be appointed immediately and should be functioning, because the situation is such that delay of even a day was wholly unjustifiable. Sir, the task is enormous and I think I can say without any fear of contradiction that it is impossible for the Government and the paid establishment to cope with the situation. Sir, we have been trying in local areas to find out what measures are necessary to give some protection. In a very small area like Park Circus and Ballygunge when we gathered the statistics we found—we have divided it to four zones; we were gathering statistics of the *bustee* area in Ahiripukur first lane and second lane—we found a single *bustee* contained 1,500 persons of whom 28 per cent. men only were above 12, 35 per cent. women were above 12, 29 per cent. boys were under 12 and 16 per cent. girls were under 12. Sir, there is absolutely no arrangement for *bustee* people to go to any shelter. The nearest shelter which could accommodate about 100 to 125 persons was about 5 or 6 minutes' walk from that place. We further found that not only there are no shelters available but there are 9 water-taps at present serving that *bustee* area—which itself is insufficient—and there is only one tube-well which has been sunk near that area, and that tube-well, however, remains choked. We could not draw any water out of it. It is a well-known fact that only about 20 per cent. of the tube-wells numbering about 2,000 to

2,500 which have been sunk in the various parts of the city yield potable water and as I have already said most of them remain choked. No arrangement has been made for the purpose of keeping them in working order. Sir, it is a truism to say that the greatest disaster, I mean defeat and surrender, has taken place in Hong Kong and in Singapore due to the failure of water-supply. Therefore, the main thing to provide against is the failure of water-supply, particularly in a city like Calcutta, and the *bustee* areas you have got to very carefully look into in this respect. Sir, I know that the Calcutta Corporation has drawn up a scheme to bring into working order the underground reservoirs available in this city at Wellington Square, at Halliday Park and at Bishop Lefroy Road. But I do not know why the Government has not made up its mind to utilise them immediately. I also hear—I speak subject to correction—that there is a proposal on behalf of Government to utilise those underground reservoirs, instead of using as reservoirs of drinking water, as reservoirs for unfiltered water to be used for fire-engines. I really wonder what are the *kutcha* buildings or places near about the Wellington Square, Mohammed Ali Park and the Bishop Lefroy Road where fire-engines would be required to operate for the benefit of the inhabitants of Calcutta. Even if filtered water is available it can serve the double purpose of providing water for the fire engines if required at all and also to provide supply of drinking water to the population. I think that any delay in a matter like this after the experience of other places is nothing short of criminal neglect. I hope that the Hon'ble Minister in charge of Civil Defence will make it a point to immediately put his Public Health Engineer into touch with the Calcutta Corporation officials and to decide this matter without any red-tapism or any further delay. Moreover, I intend to emphasise the necessity of the poor *bustee* dwellers. During our tour of inspection we have found that they are in the most helpless condition. As I have already said, the population of women and children is about 72 per cent. in these *bustees*. They have not got stores for more than a day or two in those *bustee* areas. The petty shop-keepers are closing their shops and such of them as are continuing to do business in this city keep only stocks which they can dispose of within a day or two. It is, therefore, absolutely necessary, if you want to give any protection to these people, to make proper arrangements for the supply of foodstuffs near about. If arrangements cannot be made to keep the shops open, co-operative stores or some Government stores ought to be established where these people can be suppled with rice, *dal* and salt. If any disorder—civil disorder—takes place I may say that the main reason would be when people cannot get foodstuffs they will create disorder and resort to looting. I should, therefore, consider it a matter of urgent importance that when poor people have not the means to keep provision for more than a day or two, they should be told that they need not at all be anxious and they will get supply of foodstuff

whenever it is required at such and such places. Sir, some of the workers of my Committee reported their experience on the day on which the siren was blown in the afternoon. I can say that the people have not yet been acquainted as to what they should do and on that day the women and children were running about in a scare making the situation deplorable. It is absolutely necessary, therefore, to have more publicity, to distribute pamphlets giving instructions to the people as to what they should do. It is no use posting pamphlets through the agency of the public utility companies which reach only the higher class of people. What is necessary is to distribute pamphlets in simple Bengali language and broadcast them amongst the poorer population from whom the greatest danger of disorder is expected in these times. Sir, I think the Hon'ble Minister should immediately give his attention to the problems that confront these *bustee* areas if he wants to prevent disorder in Calcutta due to panic and due to want of food requirements of the people.

I again emphasise the fact that even if you maintain a huge police force to prevent sabotage or to prevent disorder it cannot possibly cope with the situation. I do not believe that you can sufficiently police the whole population in order to keep down disorder. You must take help of the people. It is the duty of the people at this hour of peril to stand by the less fortunate of their own people and in order to muster together whole-hearted co-operation of the public the Hon'ble Minister should lose no time. Without such co-operation I am afraid even if he spends over Rs. 2 crores on paid establishments he will do little good.

I have only a few minutes left. I had some talk with some of those who are in the A. R. P. organisation. They are also not quite satisfied with what is being done. They think that proper equipment cannot be got. There is no co-ordination and there is no co-operation with the non-officials. The administration of the A. R. P. work is being done on very much red-tape lines, which are also hampering their progress. I do not think I need say anything more. I should like the Hon'ble Minister to assure the House as to what steps he has taken in the matters which I have just referred to.

**Mr. DEPUTY SPEAKER:** Sir Nazimuddin, you can make your statement now. And if the Leader of the House wants to make a statement afterwards he can do so today or tomorrow.

### Statement by the Leader of the Opposition.

**Khwaja Sir NAZIMUDDIN:** Mr. Deputy Speaker, Sir, I rise to place before the House certain facts which have a bearing on the security of the province and to voice the profound misgivings which have been occasioned thereby among a large section of the people.

For some days past the Axis Radio has been making a most dangerous propaganda in the name of Mr. Subhas Chandra Bose of the Forward Bloc in this country. Every day it is broadcasting an appeal attributed to Mr. Subhas Chandra Bose's voice which many who knew him here recognise as his. Mr. Subhas Chandra Bose is exerting his influence to overthrow the established government in this country and to welcome and help the Japanese invaders——

**Dr. NALINAKSHA SANYAL:** On a point of order, Sir. I would like to know what the statement is about and if it is permitted to indulge in mud-throwing at any of our respected countrymen. I would like to have an opportunity of discussing the matter, but it is only fair that no such statement should be read out in the House.

**Mr. DEPUTY SPEAKER:** I have given permission to the honourable the Leader of the Opposition only to make a statement with regard to the security of this province.

**Dr. NALINAKSHA SANYAL:** In that case will you kindly prevent any person—individually or otherwise—being drawn in as has been done by the Leader of the Opposition?

**Mr. DEPUTY SPEAKER:** I will see to the relevancy of the statement.

**Dr. NALINAKSHA SANYAL:** But the mischief will be done if he is allowed to finish his statement.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** In that case I would suggest that the Press and the visitors' galleries be cleared out.

**Mr. DEPUTY SPEAKER:** If that is the desire of the House I would ask the Press and the other gallaries to clear out.

**Khwaja Sir NAZIMUDDIN:** May I submit, Sir, that if after you have heard me you find that there are any passages which should not go to the Press and the House is of the opinion that the Press may be directed not to publish any particular portions of the statement, you can do that.

**Mr. DEPUTY SPEAKER:** Sir Nazimuddin, if you want to make a statement of that nature, I think it is desirable that the Press and the visitors should not be allowed to hear the statement.

**Khwaja Sir NAZIMUDDIN:** May I say, Sir, that there is nothing in the statement which ought to be excluded from the Press?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Of that the honourable member himself is not the sole judge.

**Mr. J. W. CHIPPENDALE:** Sir, I also submit that they should be excluded.

**Khwaja Sir NAZIMUDDIN:** Sir, this is a question which affects the security of this province in which every one is interested, and I submit that unless the House comes definitely to an opinion that it should not be sent to the Press, the Press should not be excluded.

(In the meantime the Press and other gallaries were cleared out.)

**Mr. A. M. A. ZAMAN:** On a point of order, Sir. মাননীয় ডেপুটী-স্পীকার, আমি জান্‌তে চাই যে সুভাষ বসু সম্বন্ধে নাজিমুদ্দিন সাহেব যে remark আরম্ভ করেছেন—সুভাষ বাবুর agent কি উনি? সুভাষ বাবুর সঙ্গে ওঁর সম্পর্ক আছে নাকি? কি করে উনি জান্‌তে পারেন সেই কথা আমরা জান্‌তে চাই।

**Mr. DEPUTY SPEAKER:** Order, order, Mr. Zaman. That is no point of order.

**Khwaja Sir NAZIMUDDIN:** May I know, Sir, if you have decided that the Press should be cleared out?

**Mr. DEPUTY SPEAKER:** Yes.

**Khwaja Sir NAZIMUDDIN:** Am I to understand then that if after I have finished my speech the House is of opinion that this thing may go to the Press, it will go to the Press?

**Mr. DEPUTY SPEAKER:** That will be decided later on.

**Khwaja Sir NAZIMUDDIN:** Sir, as I was saying, Mr. Bose is exhorting the Indians to overthrow the established government in this country and to welcome the Japanese invasion. It, therefore, appears that Mr. Subhas Chandra Bose is now working as an active agent of the enemy. Secondly, Mr. Sarat Chandra Bose, who is the life-long successor of Mr. Subhas Chandra Bose in the leadership of the Forward Bloc, is in detention on a grave charge that his known contact with the enemy is of such a nature as to make his continued liberty a menace to the security of India. We find that the Forward Bloc as a political organisation is still vigorously in existence and some of its members are pursuing activities which are of an extremely subversive nature. This is proved by many facts of recent occurrence. The All-India President of the Forward Bloc has been arrested and detained; the Secretary of the organisation in Bengal was similarly dealt with.

All the office-bearers and members of the Forward Bloc are being hounded out. It is evident, therefore, that the Government regard these persons as dangerous and they no doubt possess abundant proof of the complicity of these followers of the Bose brothers in this subversive movement. (Cries of "Question" from the Progressive Coalition Benches.) Furthermore, certain persons said to be members of the Forward Bloc have given an unmistakable proof of their pro-Fascist feelings. I think, Sir, the recent incidents at Dacca are too fresh in public mind. In this connection I would like to draw the attention of the House to a statement made by a member of this House, Mr. Bankim Chandra Mukherjee, which appeared in the *Statesman* of March 17, from which it appears that those who assembled at Dacca to condemn the Dacca outrage were described in posters as secret agents of British Imperialism, and leaflets were issued in which reference was made to the dawn breaking in the east. Sir, the significance of such posters and leaflets is obvious and it is quite clear who are responsible for this.

Then, Sir, there was an open attempt on the part of the followers of Mr. Subhas Chandra Bose—on the part of some persons who are said to be his followers—to break up the anti-Fascist Conference at Dacca at that time. (Cries of "Question" from the Progressive Coalition Benches.)

**Mr. CHARU CHANDRA ROY:** On a point of order, Sir. As this case is *sub-judice* in Dacca, I submit no question can be raised on it.

**Mr. DEPUTY SPEAKER:** This is not a motion before the House. If it had been, certainly I would not have allowed that.

**Dr. NALINAKSHA SANYAL:** Apart from being a motion or not, no matter which is *sub-judice* can be raised in the House.

**Mr. H. S. SUHRAWARDY:** Sir, may I point out that the question whether they are members or not members of the Forward Bloc of Mr. Subhas Chandra Bose is not a matter which is *sub-judice*.

**Mr. JOGESH CHANDRA GUPTA:** Sir, I think the point of order that has been raised is whether those who were responsible for the disturbance at Dacca were the followers of the Forward Bloc or not, and that is a matter which is *sub-judice*.

**Dr. NALINAKSHA SANYAL:** Sir, rule 12 of the Assembly Procedure Rules read with sub-rule (*ix*) says: The matter of every speech must in the opinion of the Speaker be relevant to the matter before the Assembly and while speaking no member may refer to any

matter of fact on which a judicial decision is pending. And, Sir, it is a question of fact that is being referred to relating to a particular incident at Dacca, and the whole matter is *sub-judice.*

**Mr. DEPUTY SPEAKER:** It is with regard to limitation of debate. I have not allowed nor will I allow any debate on this statement.

**Dr. NALINAKSHA SANYAL:** Sir, you need not go by the head-lines. Please see the actual wording of the section. A member "while speaking" may not do this and do that and the subject I referred to is one of the matters. Whatever may be the nature of the speech, whether it is on a motion or on a resolution or on bills, under no circumstances can a member refer to it.

**Mr. DEPUTY SPEAKER:** Sir Nazimuddin, you will please leave that portion out.

**Khwaja Sir NAZIMUDDIN:** Then there was an open attempt, said to be by Subhas Bose's followers, to break up the anti-Fascist conference at Dacca by physical violence leading to the brutal murder of the anti-Fascist worker Soumen Chanda. On a previous occasion also another anti-Fascist conference was stopped in Dacca and a similar occurrence took place in Comilla as well. Then on March 6th some followers of the Forward Bloc at Munshiganj demonstrated outside another anti-Fascist students' conference and shouted slogans like "Forward Bloc Zindabad" and "Subhas Bose Zindabad".

Sir, from the facts which I have recounted, this House, I am sure, will be convinced that there exists in this country a political organisation with wide ramifications which is now functioning as the agents of the Fascists, that is to say agents of the enemies.

Sir, I know that on the floor of this House two of the Hon'ble Ministers have declared that they do not belong to the Forward Bloc. I do not wish to contradict them, but certain facts need explaining.

In the first place, during the early days of the last December when negotiations were proceeding between certain groups of this House for a new coalition, a document was drafted and signed in the house of Mr. J. C. Gupta, a member of this House, in which these groups agreed to coalesce under the name of the Progressive Coalition Party and under the leadership of the Hon'ble Mr. A. K. Fazlul Huq. To this document Mr. Sarat Chandra Bose——

**Mr. DEPUTY SPEAKER:** Sir Nazimuddin, I can tell you that I find nothing in the office records that there is in existence any Forward Bloc Parliamentary Party in this Assembly.

**Khwaja Sir NAZIMUDDIN:** At the time of the coalition, Sir. To that document Mr. Sarat Chandra Bose who was still at liberty and a prospective Minister appended his signature. He signed on his behalf and on behalf of his party in this House and subscribed himself as Leader of the Forward Bloc——

(Cries of "No, No" from the Progressive Coalition benches.)

**Mr. SURENDRA NATH BISWAS:** This is an absolute lie.

**Mr. DEPUTY SPEAKER:** That is a matter of opinion.

**Mr. CHARU CHANDRA ROY:** Sir, whether it is a lie or truth is not a matter of opinion. It is a matter of fact.

**Mr. SURENDRA NATH BISWAS:** On a point of order, Sir. I do not know what this statement is for. However, when you have allowed the Leader of the Opposition to make a statement, we must be assured that our privileges as members of the House are not infringed by the statement of the Leader of the Opposition. Sir, you cannot allow the Leader of the Opposition to say anything untrue and which will not bear the light of the day if documents are produced before the House.

**Mr. DEPUTY SPEAKER:** Mr. Biswas, how can I guarantee the accuracy of a statement made or to be made by a member of the House. I am not supposed to know the exact things that happened. Therefore, it would be better to let Sir Nazimuddin make the statement and I will allow the Leader of the House to make another statement in which he will have every right to contradict the statement made by the Leader of the Opposition.

**Khwaja Sir NAZIMUDDIN:** Then the Hon'ble Mr. Santosh Kumar Basu openly declared in the House that Mr. Sarat Chandra Bose was still their leader and they still held fast to him.

Then, Sir, there is the most unintelligible attitude taken up by the present Ministry towards persons dealt with under the Defence of India Rules who are alleged to be engaged in subversive activities. In all their answers to questions and other references to this subject, the Ministry have disowned their responsibility and thrown the blame on their officers. That is an attitude which can be explained only on the assumption that the Ministers themselves do not actually believe in the guilt of the arrested and do not approve of the action taken against them. This attitude on the part of the Ministry is not only confusing but an indirect encouragement to those engaged in subversive activities. This is liable to create bitterness and disaffection towards officers of the Government.

Sir, there is another important fact to be noted. We have not yet seen any of the Ministers or any of their supporters taking any steps to counteract the propaganda from the Axis countries carried on in the name of Mr. Subhas Chandra Bose. On the contrary the speeches of some of them are written in newspapers supporting it and depicting Mr. Subhas Chandra Bose as a patriot.

We also find that the Council of Ministers are still making representations to the Government of India for the release of Mr. Sarat Chandra Bose, the closest political associate of Mr. Subhas Chandra Bose despite the fact that the Government of India have apparently in their possession enough materials to justify his detention. The other day a public meeting was held without the permission of the authorities concerned to urge the release of Mr. Sarat Chandra Bose over which a prominent member of this House belonging to the Forward Bloc presided. We understand that the Ministry declined to sanction the prosecution of the President of the meeting, but in order to keep up appearances merely allowed a comparatively insignificant participator in it to be prosecuted. The inference to be drawn from it is obvious.

Sir, in view of these facts and circumstances we of the Muslim League Party consider it our solemn duty to demand of the Ministry a clarification of their position in respect of the issues which I have raised. Faced with the grave peril of enemy aggression, the country has a right to know where exactly the Ministry stands and how far the security of the people is safe in their hands.

Sir, it is now common knowledge that in Burma there was a large number of traitor Burmans who facilitated enemy's advance and who acted as their agents before and as their collaborators after the occupation of the various parts of Burma by the Japanese. Bengal must profit by this lesson and must root out treachery if the enemy is to be successfully resisted.

Sir, we demand that the Ministry do clarify their position in respect of the following:

Do they or do they not regard as most dangerous the propaganda carried on in the name of Mr. Subhas Chandra Bose? What steps do they propose to take to counteract this propaganda? Are they prepared to denounce Mr. Subhas Chandra Bose and undertake active and vigorous measures to eliminate what influence he may still have among certain sections of the people of this country? Are they prepared to ask that section of the Ministerial Party which still owes allegiance to Mr. Sarat Chandra Bose to sever their connection with him in view of the fact that he has been the life-long associate of Mr. Subhas Chandra Bose and has not yet repudiated him? Do they or do they not believe in the justification of the action taken under the Defence of India Rules by the officers against those engaged in subversive activities including some members of the Froward Bloc?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, I have treated the statement made by Sir Nazimuddin with the contempt it deserves (Cries of "Hear, hear" from the Coalition benches), because I feel in the first place that it has not been inspired by honesty and, secondly, because I do not believe that it is his composition. I have a suspicion that it has been drafted by Mr. Arthur Moore of the *Statesman*. (Cries of "Hear, hear" from the Coalition benches.) My reason for saying this is that Sir Nazimuddin has been hobnobbing much too frequently with Mr. Arthur Moore of late. (Cries of "shame, shame" from the Coalition benches.) I propose to make a detailed statement later on in which I propose to discuss the various points that have been raised. Some of them are of great importance while some are absolutely nonsense. Sir Nazimuddin has referred to a certain document——

(Mr. Abdur Rahman Siddiqi rose to speak but there was an uproar and he resumed his seat.)

Sir Nazimuddin has made a definite statement about certain negotiations that have preceded the formation of this Ministry. May I remind Sir Nazimuddin that it was he who showed the way by approaching the Forward Bloc to come and form a Ministry? May I remind him that it was he who approached the Hindu Mahasabha to come and form a Cabinet with him? May I remind him that it was he who approached Mr. Shamsuddin to come to terms with him offering to give his party four parliamentary Secretaries? Sir, I shall disclose——

**Mr. FAZLUR RAHMAN:** On a point of order, Sir. My point of order is whether the honourable speaker who was just addressing this House is in order when he made observations quite irrelevant to the statement made by the Leader of the Opposition? (Cries of "Oh, oh!" from the Coalition benches.)

**Mr. DEPUTY SPEAKER:** That is no point of order.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** May I also remind him that it was the Muslim League which not merely hobnobbed with persons like Mr. Subhas Chandra Bose but they are working hand in glove with the Forward Bloc party in the Calcutta Corporation? Sir, I shall not take up the time of the House any longer by going into details, because I propose to make a fuller statement later on, but I may tell the House just now that when Sir Nazimuddin made a definite statement that Mr. Sarat Chandra Bose signed some document as the Leader of the Forward Bloc his statement was challenged from this side of the House. I still maintain that his statement is not correct. I sent my Private Secretary to Government House to Mr. Carter with whom the document is at present, and he has authorised me to make this statement that that document was not available just at the moment but I

distinctly remember that Mr. Sarat Chandra Bose did not sign any paper as the Leader of the Forward Bloc. (Uproar.) I shall make a fuller statement later on.

**Mr. Khwaja SHAHABUDDIN:** On a point of order, Sir. Will the Chief Minister explain what he meant by saying that no Forward Bloc paper bore the signature of Mr. Sarat Chandra Bose?

**Mr. DEPUTY SPEAKER:** That is no point of order

**The Hon'ble Mr. A. K. FAZLUL HUQ:** As I have said already, I shall make a fuller statement later on.

## DEMAND FOR GRANTS.

### 63—Extraordinary Charges in India.

**Mr. A. M. ABDUL HAMID:** Mr. Deputy Speaker, Sir, I beg to move that the demand of Rs. 1,24,81,000 for expenditure under the head "63—Extraordinary Charges in India" be reduced by Rs. 100.

Sir, the object in moving the cut motion standing in my name is to show to the House and to the world outside how shabbily the muffasil area has been treated by the Hon'ble Minister and the Government he represents.

But before I go directly into the question, let me begin with certain reply due to my friends on my left. During the general discussion when I raised the question of legality of payment under this head from provincial revenue, some taunting remarks though made in a subdued tone reached my ears from my left with the usual air of superiority complex so common to that side. To them I will only refer a few extracts from the printed speech of the Hon'ble the Finance Minister whom they are pledge-bound to support.

In paragraph 2 of his printed speech (on the very first page) he says "It can be argued that expenditure on Defence is not a proper charge on provincial revenue and that under the Government of India Act, 1935, the whole responsibility for Defence falls on the Centre". That this is the proper interpretation will be evident from what he further says on page 7 of the said printed speech. "The expenditure (under this head) amounted to Rs. 3 lakhs in 1939-40 and Rs. 7 lakhs in 1940-41 and the Central Government agreed to meet these charges in their entirety". May I then ask my friends on my left if there was any justification for such remarks when I raised this legal or constitutional question during the general discussion of the budget?

The Government of Bengal, to my mind, ought not to have yielded to the demand of the Centre to share the responsibility of this Defence charge without reference to the Federal Court.

When the Government of India Act was passed in the year 1935, total war was not unknown to the British oligarchy who were responsible for the passing of the Act and as such I venture to submit that if it was the intention of the Legislature to charge the provincial revenue with this kind of expenditure even in time of emergency, it would have been clearly put down in black and white in the Act itself.

I understand when the old Cabinet resigned and a new one was in formation, a condition precedent was laid down that whoever would form the new Ministry, would not be able to question the legality of this expenditure. Sir Nazimuddin could not give such an unconditional undertaking and so he could not be commissioned. But the rival group was so anxious to step into the shoes of the then existing Ministry that they did not care to cut their own throats and with it that of the people of the province in order to form the present Cabinet. When the present Ministry was formed real power became automatically vested in the hands of 2 or at best 3 men. The Chief Minister was trapped in a golden cage specially prepared for the purpose and became a show-boy. The show-boy was then taken to the Azad Conference but Mr. Amery was too shrewd. He detected the boy in spite of the camouflage and he was dubbed not a Muslim leader, not even a Congressite but only as one associated with the Congress. But the blessed few did not notice that. They thought that it was a great victory which they had scored and came out in their true colour. They have stakes in Calcutta and its suburbs and in the industrial areas not far off and most of the money that could be squeezed out, in the name of civil defence, was mostly applied for improving the city of Calcutta, at the expense of nation-building departments. For allotting more money for this area, saving had to be made even by non-utilization of the provision actually made "for the improvement of Sadar hospitals in mufassal towns" and by curtailing "expenditure under rural water-supply," both of which are so essential for civil defence purposes in the interior.

The enemy is now almost at the gate of Chittagong and other adjoining districts. Four villages adjacent to the city of Chittagong have had to be evacuated under military order and the whole eastern frontier seems to be in imminent danger but no provision for civil defence appears to have been made specifically for this area excepting perhaps what can be given out of the "lump provision of Rs. 2 lakhs for civil defence in vulnerable areas outside Calcutta" including 71 thousand for hospital accommodation for air raid casualties in Chittagong, out of a total demand of Rs. 4 crores and odd. That this is true will be evident from page 413 of the Blue Book read with page 120 of the Red

Book. There will be demonstration centres at Calcutta, Howrah, Serampore and Barrackpore. Alternative water-supply system and expansion of fire brigade have been undertaken for the city of Calcutta but nothing for the *Bangal* area. For the benefit of the house-owners who have been hard hit by the recent exodus from Calcutta, 500 additional private houses are being engaged on the plea of additional A. R. P. shelters but essential elements of "water-supply and hospital accommodation" are being denied to the mufassal areas which are in imminent danger and are much more vulnerable than the city of Calcutta.

If truth is to be told the people of the province are more afraid of lawless element expected to be let loose in its proper time and of the "scorched earth policy" of the British military than the Japanese bombs and shells. If the people of Calcutta are so much afraid of Japanese bombs, let their city be declared an open town and handed over to the Japanese, if necessary. They cannot be allowed to have so much of people's money for the defence of the city only to be burned to ashes by the British military, as was done in Rangoon.

May I enquire if an assurance has been obtained from the military authority that scorched earth policy will not be applied to any part of Bengal and specially to Calcutta and the industrial area which have been developed by individual enterprise and private capital and not by communist method? May I also enquire if the Government is in a position to state that the A. R. P. organisation for which the Government is fully responsible and which consists mostly of caste Hindus (communal ratio not being followed in these appointments) will remain true to the last and will not emerge as lawless elements as it happened in Rangoon? If not, I think that there is no justification for spending so much money in Calcutta in preference to the mufassal areas which are in imminent danger. I ask my friends opposite to rise to the occasion and support this motion irrespective of party consideration for the benefit of the interior which is in imminent danger.

**Mr. P. BANERJI:** Mr. Deputy Speaker, Sir, I beg to move that the demand of Rs. 1,24,81,000 under the head "63—Extraordinary Charges in India" be reduced by Rs. 100. The object of the motion is to raise a discussion about the inefficiency and insufficiency of the A. R. P. organisation.

Sir, in the general discussion of the budget, we gave certain suggestions to the Hon'ble Minister just to profit by the experience gained next door in Burma. I regret to say today after the lapse of so many weeks no tangible improvement has been made in this direction. The arrangement that has been made is still not adequate. A question was raised about slit trenches in the debate whether slit trenches could give adequate protection against air raids. Now, Sir, the Government have come forward with a statement in its paper that slit trenches are quite

all right and give excellent protection. May I point out to the Hon'ble Minister that only day before yesterday Dr. B. C. Roy spoke at a meeting of the Calcutta Corporation and expressed the view that he doubted the utility of these slit trenches. My information from those who have returned from Rangoon is that the slit trenches are not so effective as covered trenches. Now, Sir, this denial in the paper will not do. We have to face facts. We have been told by Captain Mullen who is an authority on bombs, both explosive and incendiary, that the blast is the real menace and that it can blow off even buildings. That being the case, there is no doubt that the enemies will be using these bombs —I mean explosive bombs.

As regards incendiary bombs, Captain Mullen's opinion is that these incendiary bombs are not so dangerous as the explosive bombs and, therefore, the use of sand bags is quite sufficient to fight against this evil.

As regards the A. R. P. organisations in Calcutta and in the mufassal, I can say as Mr. J. C. Gupta and other speakers who have preceded me have said without any fear of contradiction that the arrangement is not all that is desired.

Now, Sir, in some districts, even in the frontier districts, this measure is totally neglected. The main question that I would ask the Hon'ble Minister to consider is whether by this arrangement adequate help and succour can be rendered. We maintain that it is not possible to render adequate help It has been ventilated through the Press to the members of the public whether it is time for the Government to declare wholesale evacuation of Calcutta or at least of those persons whose services or whose stay in Calcutta is not essential. The Hon'ble Minister in his speech has declared that the time has not now come for this evacuation but I must tell him that to be forearmed is to be forewarned. Sir, in our opinion the time has now come when it is necessary that Government must order for the evacuation of Calcutta and only retain those persons whose services in the opinion of Government are essential services and money instead of being spent in this direction should be spent for the evacuation of people who have not got sufficient means to arrange it for themselves. It is said that some arrangements have been made to bring people from Calcutta to Khulna and that arrangement is being made with the help of Government but what is that arrangement? Only some sheds are there and some people have been asked to gather on the road-side. It is something like an inn in which people take shelter on the road-side while going out on a pilgrimage. But that we consider is not sufficient and will not help people going out from Calcutta for we have our experiences of evacuees coming from Rangoon. And it has also been pointed out by our leader that the Government help was not sufficient. I would ask the Hon'ble Minister to go through newspaper reports of persons who have been

affected and he will be convinced that Government help was not sufficient. The blue light is now on and I have very little time to speak on these matters. I shall only say in this connection that although Government think that they have taken the responsibility of defending us, Government are unable to defend us. Government has sent out the military in different parts of the country. A good number of the military has been stationed at Jessore. But it appears that their business is not to be on the alert for military operations but they are simply committing excesses so much so that people in the villages are terribly afraid of them. This has actually become more terrible than enemy bombs and this is all being done in the name of maintaining order. I do not know whether the Civil Defence Minister is in possession of these facts or whether the Military authorities have taken any notice of its existence. Therefore, I consider that when these excesses have been committed, it is time for the Civil Defence Minister to rise to the occasion and see that these things become a thing of the past.

**Mr. ABDUR RAHMAN SIDDIQI:** Mr. Deputy Speaker, Sir, I beg to move that the demand of Rs. 1,24,81,000, for expenditure under the head "63—Extraordinary Charges in India" be reduced by Rs. 100 and I do so with a view to raising a discussion on the air-raid precautions.

Before I begin, I should like to assure the Hon'ble Minister that my object in moving this cut motion is not so much to criticize as to place before him the disturbed state of mind in which I am. He knows, Sir, that to the best of my ability I have placed my services at his disposal now and he has the right to demand them in future also. I am, therefore, particularly anxious that in what I say I should not be misunderstood. I understand "Extraordinary charges in India" to mean Civil Defence, which means security and protection. I propose to establish my case on the preliminary fact that nationalism in India, if it means counting of heads or the rule of the majority, then in Bengal it should mean the protection of my community without injuring the interests of any other section of the population. If that is admitted, then I think Government should try and understand why the Muslims of Bengal are disturbed in mind today and what are we so seriously concerned about.

The other point, which I should also like the House to understand, is that we are using words and phrases which have meanings and significances different from the reality. For instance, the word "Government" in the Assembly means the Ministers who sit on what are called the Treasury benches. But "Government", as laid down by the High Court, means something other than the Council of Ministers. I expect that if Hon'ble Ministers sitting opposite are unable to carry out

my wishes and do not respond to my appeals, the real Government, the "Government established by law" which does not reside here, will consider seriously what I am trying to place before the House. Why I am saying this, Sir, is because this session, out of the many sessions of our Assembly that I have attended, has disturbed me considerably. We seem to be fighting and quarrelling at a time when, who knows, while sitting in this House, we may be bombed. We have got to create an atmosphere and bring about an outlook different to what exist today and more in keeping with the reality of the situation we are in. I have come to the conclusion that the Council of Ministers does not realise this. May I appeal to them, in all seriousness, to forget that there is an Opposition which must be crushed. It will be to their advantage to let us speak out our minds freely so that in case there are points which need correction or rectification in their policy, we may render them useful service. For, in my view, that is the duty and real function of the Opposition. The Hon'ble the Chief Minister, who is also the Home Minister has started on a campaign of revengeful vindictiveness. He denies us freedom of speech and freedom of association and appears to be bent upon crushing our liberties.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** What about the five hundred meetings?

**Mr. ABDUR RAHMAN SIDDIQI:** You know the Urdu couplet--

یہ دستورِ زباں بندی ہے کیسا تیری محفل میں
یہاں تو بات کرنے کو ترستی ہے زباں میری

[What sort of a law of tying up tongues prevails
in thy society
My tongue is yearning to utter a talk here.]

By crushing our liberties and trying to stop us from expressing our views, he would not have that uniformity of opinion behind him which is essential in the present disturbed state of affairs. For instance, as President of the Krishak-Praja Party he must have been disturbed that the party, which contains in it every section of the population and has taken up the advocacy of the rights of the peasant and the agriculturist, opposed a cut motion for the abolition of the Permanent Settlement. I do not know where I am. I get upset over these little incidents that happen in our midst almost daily now. The nerves of his colleague, whom I have called the Premier *de facto*, seem to be on edge. There appears to be a nervous blitz all round. He seems to have lost nerve at a time when we should all try and preserve peacefulness of mind. The language that he used about us was undeserved.

If you will read the undelivered speech of the President of the Hindu Mahasabha, at Bhagalpur, you will find that the word "goonda" has been used in it more than once. I tried to look up the Goonda Act but the word has not been defined in it; then I looked up the dictionary. There 'goonda' as you, Sir, would understand it, means a big, hefty, strong, corpulent fellow, a pahlwan. If by 'goonda' the Hon'ble Minister means a Muslim, then, Sir, I was born a goonda, I am a goonda and I hope I shall die a goonda. He did not realise, when he used the epithet, that calling Muslims goondas would act as a boomerang because if by goonda he means a hooligan, a ruffian, a *badmash* or an *apache*, my goonda brothers on the other side would resent the term equally as I do. I hope next time when he does address the House there will be no excitement and no such language will be used.

The progressive Muslims show no clear outlines. They are neither fish, nor fowl nor good red herring. Muslim Ministers and our old associates and colleagues, one and all, have cried themselves hoarse by declaring that they are Muslim Leaguers. They want to organise a Bengal Provincial Muslim League of their own. Then what have we done that they have deserted us? I consider it as the greatest compliment paid to us when these lost brothers of ours are trying to use the League name for themselves. They are now realising that they were in the wrong and they are not happy over what they did and where they now are. If you treat the Muslim League with kindess, even with generosity and come back into its fold, it will redound to your credit.

Sir, speaking in all seriousness, I address myself to honourable members on the other side belonging to the Forward Bloc. A repudiation by the Hon'ble Minister for Civil Defence and Local Self-Government of his affiliation and identity does not, again, lead to one's peace of mind. If you come under a certain label you have got to retain it.

**Mr. I. D. JALAN:** Is the honourable member in order, Sir? Is he speaking on the cut motion?

**Mr. DEPUTY SPEAKER:** The honourable member is now travelling a very long way from the subject matter. I hope he will be relevant now.

**Mr. ABDUR RAHMAN SIDDIQI:** My whole object of appeal to Government is to create, if I can, a condition of peacefulness so that Civil Defence may have at its back every section of the population and, therefore, I am trying to impress upon you, Sir, that these minor incidents which create irritation should, so far as possible, be avoided. I should like to enquire of that legal person called "Government established by law", whether handing over Civil Defence into the hands of people who do not seem to be proud of the label under which they

entered this House, is statesmanlike or safe? Is it likely to create that feeling among the common people which would induce them to put into the common pool the maximum possible effort? Will this change of attitude and of front on the part of the Forward Bloc Ministers and members generate the energy required for the task the Hon'ble Minister has shouldered?

There are just two other points, Sir, to which I shall refer. It has come to our notice that the Hon'ble the Home Minister—if I am misinformed I hope he will contradict me in as strong a language as he can command—in trying to seek the support for his new Cabinet has come to an arrangement with the European Group that in all matters of policy in the Home Department he will just put his *dhobi* mark and do nothing else, leaving the administration of his department into the hands of the Secretariat.

**Mr. DHIRENDRA NATH DATTA:** Mr. Deputy Speaker, Sir, we are dealing with air raid precautions. The honourable member is not in order.

**Mr. DEPUTY SPEAKER:** I have already said that Mr. Abdur Rahman Siddiqi is going far away from his point, and I hope he will now stick to his point.

**Khan Bahadur MOHAMMED ALI:** When he speaks on air raid precautions is he not entitled to make general observations on the main demand moved by the Hon'ble Minister?

**Mr. DEPUTY SPEAKER:** He is entitled to do that but in discussing he will have to confine himself to the air raid precautions only.

**Mr. ABDUR RAHMAN SIDDIQI:** I am going slightly out of my way. I want the Government to look at the question of Civil Defence in a united manner and not by handing over their rights to others and acting under a sort of super-imposition from parties in the House or people outside, but, Sir, if you rule that I am out of order, I shall not press the point further. My whole object in speaking as I have done is to tell the House why the Muslim population of the Province has grave misgivings and finds itself in a state of depression, which, as is obvious, is not conducive to a general whole-hearted united effort to put our Civil Defence on a proper basis. We feel that the recruitment for its personnel is not done on right lines. I should like the Hon'ble Minister to widen his field of vision and take in all. Further, Sir, I feel that there is a spirit of lackadaisical incompetence in its work; there is no vim in the whole arrangement. I hope the Hon'ble Minister will use the utmost caution before he comes to any definite conclusions about our defence and security. I should

like him to make no discrimination. Voluntary effort, yes; but there are reasons why certain sections of the population have not come forward voluntarily. Let him create the correct psychological background which will in turn create and engender responsiveness in the people's mind.

Sir, I have to give up many of my points because of your decision. I again appeal to the Hon'ble Minister and his Forward Bloc associates to work as true and real nationalists in the sense in which I have tried to describe the word. If they can accept that point of view, I think Civil Defence will work better and we shall not be defeating the very object for which we shall be sanctioning the grant.

I will, before I resume my seat, appeal once more to the Hon'ble the Minister for Civil Defence to see that whatever action he or his colleagues in the Cabinet take, it does not lead to civil commotion, because that will be death for the majority of this province, and I happen to belong to that majority which unfortunately does not receive today that attention from the particular point of view towards which I have tried to draw his attention.

**Mr. DHIRENDRA NARAYAN MUKHERJI:** Mr. Deputy Speaker, Sir, I formally move the cut motion standing in my name that the demand of Rs. 1,24,81,000 for expenditure under the head "63—Extraordinary Charges in India" be reduced by Rs. 100.

I do not like to inflict a long speech on the House as the mismanagement, departmental inefficiency, corrupt practices in the matter of supplies, nepotism in giving appointments are already matters of common knowledge to the countryside. On general debate on Budget, speakers after speakers have dwelt on this matter. Since then nearly three weeks have passed but we see no change in the policy. Things are allowed to drift in their usual phlegmatic ways.

Now allow me to place before the House a few cases relating to my district. The organisation has been left in charge of a retired police officer. He has been recruited at a monthly salary of Rs. 650 besides his usual pension. Under him six sectional officers drawing pay of Rs. 250—450 besides allowances have been appointed. These sectional officers have got under them staff officers on a pay of Rs. 75—150 besides clerical staff, peons, etc. The area has been divided into four departments. Each department consists of a Superintendent with a pay of Rs. 150, Assistant Superintendents with pay of Rs. 75, telephone operators, accountants, 3 or 4 clerks and messenger boys on an average pay of Rs. 30 a month. Besides them there are wardens with an allowance of Rs. 30 a month to their credit. I have got nothing to say on the expenditure side if it is spent for proper organisation. But the fact is quite otherwise. For instance, there is a telephone operator on a pay of Rs. 25 a month appointed nearly six weeks ago at Uttarpara but no telephone has been installed as yet.

Many of the wardens are employees in mercantile firms in Calcutta. It goes beyond my conception how they can attend to their duties in their respective areas while serving their firm.

The officers of whom I have already spoken do not care to make regular inspections and in most cases they discharge their duties on paper only. It is repetition of the same old story given out by the Hon'ble Mr. Justice Ameer Ali some time back.

The appointments for the fat-salaried officers have been given mostly to the relatives of the Controller Mr. Khaleq disregarding the claims of many far better qualified candidates.

I have been told by one responsible member of this House who is intimately connected with various activities of the Government as well as A. R. P. work in my district that approach was made to the Hon'ble Minister in charge, giving him details of the irregularities, but so far no action has been taken. In some quarter it is whispered that Mr. Khaleq has such powerful supporters in this Government that his faults are condoned if not connived at. I do not know how far this is true, but the continued negligence of the Ministry to these issues leads me to believe that there may be some truth. The department is managed so inefficiently as to justify us in condemning it as nation-killing instead of nation-saving in its activity

**Sir HENRY BIRKMYRE, Bart.:** Mr. Deputy Speaker, Sir, I would like to contribute the views of the European Party to this debate. Civil Defence is a matter in which we are all vitally interested, and, therefore, a matter on which we all hold strong views; but because it is a matter which concerns the safety of the people of this Province it behoves us to speak with restraint and a very heavy sense of responsibility. We think it wrong for example to hurl unfounded criticisms at officials and A. R. P. workers who have been working day and night to give us an efficient organisation. To do so is to discourage the whole organisation. We should only criticise when we are sure of our facts and before we criticise we should ask ourselves what we are doing to help.

There can be no question that it is the responsibility of Government to do everything within their power for the Civil Defence of the people of this Province, and the fact that Government are not responsible for military defence does not rid them of their responsibility for civil defence. The first question then is: Is Government fulfilling this responsibility? On the whole we consider that Government are doing their best to fulfil their responsibility. The Civil Defence and A. R. P. schemes are, in our opinion, well thought out and planned and based on experience both in England and in Rangoon. Some months ago we might have complained with some justification that most of these schemes appeared to be only on paper. Considerable progress

has, however, undoubtedly been made during the last few months, and many of the schemes in so far as they involve construction work and not large scale recruitment of personnel have been completed. One or two schemes still, however, appear to remain on paper, and we wonder, for example, when are we to have the long-promised new report centres, when are we to have the new A. R. P. depots and when are the 500 buildings earmarked as public shelters to be opened for use by the public. We cannot afford any delay in these matters.

One fundamental defect which was evident some months ago was the lack of co-ordination and direction in the organisation. Civil defence schemes involving specialised knowledge and technical skill are necessarily divided amongst a number of Government departments, and until recently these departments were doing this work without proper co-ordination or supervision. As a result progress was unequal and the organisation suffered from lack of cohesion and driving power. There was a great deal of passing of files from department to department, and the right hand did not appear to know what the left hand was doing. This fundamental defect has been, in our opinion, to a large extent remedied by the appointment, in the first place, of the Hon'ble Minister for the Co-ordination of Civil Defence and, in the second place, by the appointment of a Director of Civil Defence for the Calcutta area. The Hon'ble Minister has, in our opinion, taken up his duties with energy and determination, and we hope that he will continue to concentrate his energies on the problems of Civil Defence. We hope in particular that everything possible will be done to speed up departmental procedure and avoid "red-tapism" and passing of files from department to department.

While we consider that most of the criticisms against officials are misdirected, we would like to draw attention to two points. The first is the apparent reluctance and slowness on the part of officials in taking on additional staff. We are aware that certain senior executive officials are working from morning to night and are still only able to cope with the most urgent business before them. This is not, in our opinion, conducive to the efficiency of the organisation, and what we do not understand is why they do not ask for and obtain additional staff. My second point of criticism arises out of the first. There appears to us to be a lack of personal contact between the officials and the A. R. P. workers. In our opinion the personal touch in securing the efficiency of the A. R. P. workers is all important and long office hours and innumerable written instructions will not supply that personal touch.

This point has particular reference to the Wardens Service. It is useless to issue instructions to the Wardens if there is no one to see that they are carried out. It is equally useless to issue written instructions which are not read or, if they are read, are misunderstood. There

must be constant supervision and inspection of the Wardens and there must be closer contact between them and the senior officials. I say this with emphasis because one senior A. R. P. official has been heard to say that he did not know if his instructions were being carried out by the Wardens, a statement which appears to us to be indefensible. Now, Sir, we all know the Wardens Service is the key service of the A. R. P. organisation. It will be their business to get the information with regard to any bombing incident as soon as possible to the report centres so that the Fire Services, the First Aid Services and the Rescue Services can be sent immediately to the spot. Moreover, Sir, it is their duty to instruct the people of their section in the measures which they should take for their own safety. This last duty the Wardens have, so far as we have been able to see, failed to perform. Many of us have never even seen our Wardens and many of the Wardens—there are exceptions—have not gone round their sectors instructing people in elementary precautions.

This may be partly due to the inadequacy of numbers, but we are afraid it is also due to the fact that we have not got the best men available. We must have adequate numbers of Wardens and we must have the best men available. We must moreover have competent staff officers and inspectors who will give the Wardens the training, practices and personal inspection which is so essential. We consider that the Wardens in view of the importance of their duties should all be full time paid workers and Government should spare no effort to secure an adequate force of full time paid Wardens properly trained and supervised, a force upon which we can all rely in an emergency.

Here, Sir, I come to the question of recruitment. In our opinion the most serious deficiency in the A. R. P. organisation is not the result of official misdeeds or mistakes but the result of lack of public support and co-operation. For many months the officials and the A. R. P. workers have been working without interest, support or encouragement from the public or for that matter from this House. In recent months as the danger of air raids has increased there has been an awakening of public interest and the response to Government's recruitment campaign has improved, but we know that the response in certain services and I refer particularly to the First Aid Posts and First Aid Parties has been very poor and these services are far below the required strength. This is a responsibility which we must all share. Every member of this House should be doing what he can to recruit more workers for the A.R.P. services. We should not let political difficulties stand in the way. Japanese bombers will not take note of our political difficulties, nor will the Japanese bomber worry whether we have the correct communal ratio in our A. R. P. services. Bombs make no discrimination between caste, colour or creed. Obviously when we are crying out for more workers we must take the workers as they come forward whatever their community. We want

all the workers we can get, Hindus, Muslims and Christians, whatever their community, and it is the duty of the leaders of all communities to see that the members of their communities come forward in large numbers.

We welcome the proposal of the Hon'ble Minister, Mr. Basu, to set up a Civil Defence Committee with the object of associating public opinion and advice with the official organisation. We hope that this Committee will devote itself primarily to assisting recruitment to the A. R. P. organisation. We do not suggest that it should not have other functions; in fact we think it can do most useful work in giving advice on local problems and local deficiencies, but we would stress that recruitment of the best available material to the official organisation is our primary need. In our opinion the method of recruitment has in the past been too centralised. It is not, in our opinion, sufficient to open recruitment and information bureaus at central places. What is wanted is direct local recruitment.

We agree with the Hon'ble Minister that there is much useful and valuable work that can be done by non-official organisations, but our first objective must be to have a trained, disciplined, properly-equipped and officered force which during an actual air raid will carry out its duties speedily and efficiently under a single command. Non-official organisations can and must help in relief work, in the organisation of voluntary street fire-fighting parties, and in the disposal of the dead, but let us not forget that during an actual air raid we must have a trained and disciplined force acting under unified command and control.

Finally, Sir, let us not forget that our object is not only to protect the lives of the people of this Province, but to keep this great city and its essential services and industries going. If we keep calm and obey the simple instructions to take shelter, experience has shown that the bomb loses its terror and its effectiveness The citizens of Rangoon tell us that there is safety in slit trenches but not upon the streets. If we panic and rush about the streets and flee out of the city, then we not only place ourselves in danger but we achieve the object of the enemy. Our fighters and our anti-aircraft guns will not fail us. Let us show that like the citizens of London we can take it and keep our city and province going. Let us show that in the defence of our Province we can sink our political differences and present a common front.

We oppose all the cut motions and will support the Government motion.

**Mr. DHIRENDRA NATH SEN:** Mr. Deputy Speaker, Sir, I had been listening with great interest to the very instructive speech delivered by my honourable friend Sir Henry Birkmyre. I rise not to criticise

the scheme but I must say at the outset that I cordially welcome the enormity of the grant which has risen to a classical figure of about Rs. 4 crores, but I must confess that I am a little disappointed, if not a bit frightened, that definite suggestions and practical schemes have not been formulated for the preservation of the interests of trade, commerce and industry. Sir, this city of Calcutta or for the matter of that our own province of Bengal has of late been developing into a great industrial province. There are major factories and big mills and there are a number of middle-sized industries with small capital and cottage industries, employing a huge number of labour living all around us. It is not my idea to discuss in detail the statistical position of these industries within the short space of time allotted to me, but I want to point out that these industries for their survival and their prosperity always require a free flow of raw materials, a fund of fearless labour and an easy method of transportation of their finished goods. Sir, any infliction of war is bound to paralyse these three main arteries of their life. For the last few months, these industries have been passing through very critical times. On account of scarcity of railway wagons, they were compelled to buy coal at a price which was 300 per cent. higher than the usual rate and when Japan entered the war, they were forced to buy for stock, raw materials and chemicals at an abnormally higher rate with the result that the available liquid asset that they were in possession of was finished and frozen in the way mentioned. They were, thus, not in a position to make any arrangements, safety arrangements—for their labour force or to arrange for storing any food which would carry them on for a little while. Sir, it will not be out of place to mention here what is being done in the United Kingdom to safeguard the interests of the industries. Sir, there they have divided the industries into several groups so that it would be very easy for them to look to their problems and then they have placed each group either in one form or the other under the direct supervision, control and guidance of the Government and then they have opened out a register of all available labour by which when there was any scarcity of labour at one point, labour could be transported from one centre to the other. The question of Railway transport is not a provincial subject. Of late the pressure on the Railway traffic has been very great and on account of the rationing of petrol, road traffic has been reduced also. Coal gas has been introduced in England and traffic congestion has been reduced to a certain extent by opening out transportation by waterways.

Sir, our forbears had started these industries and it is our moral duty to keep the fire burning. Let Bengal's infant industries and commercial ventures be made shock-proof and well-protected by baffle walls which we can build around them. We cannot allow our economic structure to collapse. And, God save us from our efforts of building everything anew.

**Mr. ATUL CHANDRA SEN:** Mr. Deputy Speaker, Sir, in the lobby I saw some responsible Pressmen taking down notes from the printed copies of the statement of Khwaja Sir Nazimuddin. I deem it proper, therefore, that you should issue a warning that no Press shall publish either the statement or any portion of it which was read out before the Press gallery was cleared out.

**Mr. DEPUTY SPEAKER:** The Pressmen have not been allowed to be here when the statement was read out and the Pressmen are not allowed to publish anything with regard to the statement made by Sir Nazimuddin or with regard to the reply thereto made by the Hon'ble Mr. Fazlul Huq.

**Dr. SURESH CHANDRA BANERJEE:** Mr. Deputy Speaker, Sir, the object of my speech is not to criticise the present Ministry. We know how big the task is and how very limited their powers are. So I wish only to make a few constructive suggestions which, I think, it is essential to carry out at this critical condition of the country and which, I believe, the Hon'ble Ministers are able to execute.

Sir, on Monday last, in the afternoon, when the alert Air Raid siren blew, the labourers of Clive Mills at Matiabruz wanted to come out in panic but the mill gates were closed under the orders of the General Manager of the Mill and they could not get out. They were asked to go behind the baffle wall which has been constructed in that mill along the main wall surrounding the factory. Sir, in that mill there are about five or six thousand workers working and the baffle wall that has been constructed can just cover 500 people. There are no other arrangements—no slit trenches, no underground shelters but only a baffle wall which can cover just 500 people out of the 5,000 or 6,000. And these people, when they wanted to go out, were not allowed to do so, and as a result there was a panic and in the next morning there was a strike of 5,000 to 6,000 workers. I do not know whether there is any other strike in any other jute mill as a result of this, but this far I know that if the system of closing the gates when the siren goes continues—especially when there are not sufficient Air Raid precautions inside—then in no time there will be a serious panic among the labour population in and around Calcutta, and in spite of our best efforts it will not be possible to keep them at their posts and there will be a general strike. On further enquiries I was informed that the Hon'ble Minister in charge of Civil Defence Co-ordination has some hand in the matter: it is with his permission that these mill gates are being closed. I do not know whether it is a fact or not.

**The Hon'ble Mr. SANTOSH KUMAR BASU:** That is not a fact

**Dr. SURESH CHANDRA BANERJEE:** I am glad to hear that. But my humble request to the Hon'ble Minister is to enquire into this matter so that this sort of panic may not continue and unnecessary trouble may not be created again in the mill areas.

Then, Sir, as regards the baffle wall in one particular area it is quite insufficient for the protection of the workers of that area, and the slit trenches that have been dug for this purpose are also not at all sufficient. For instance, take the cases of Cheviot and Caledonia Mills. In these mills there are about 5,000 workers, but the slit trenches that have been dug there can just accommodate not more than 1,000 people.

Sir, as regards the slit trenches, it has more than once been said that these slit trenches are absolutely worthless. I agree with it. Not only are these slit trenches quite shallow, but I am sure as soon as rains will begin these slit trenches will be filled with rain-water and snakes and frogs. It may be that water would be pumped out, but during the monsoon which is coming soon when it will rain heavily and incessantly, this will be of no avail and the slit trenches would be absolutely useless. So, Sir, the only accommodation that is possible is, I think, underground pucca shelter. I am sorry to tell you, Sir, that practically no arrangement has been made in this direction. Of course, in some mill areas there are some arrangements for underground pucca shelter. But I am told that that is not meant for the labourers but meant only for the officials of the mills. I would request the Hon'ble Minister again to enquire into the matter.

Then, Sir, there are other matters. I am informed that no additional medical arrangement has been made in these mills and no hospital has been constructed. As a matter of fact, in many mills there are no hospitals at all. As regards water arrangement there is also some difficulty. Where there should be a large number of tube-wells, it is a matter of regret that no arrangement whatsoever for tube-wells has been made so far. And there has also not been any arrangement for the supply of food.

Then, Sir, there is the question of compensation. That is a matter which is very important, because if there be any bomb dropped and if there be any casualty as a result thereof, the labourers, as a matter of fact, do not know what would be done for them. Government have, of course, declared something, but I would request the Hon'ble Minister to emulate the example of the Tatas at Jamshedpur where the labourers will not only get the money sanctioned by the Central Government but on the top of it they have been promised by the Company a lump sum to be paid in the case of those who would be permanently

disabled and also to those killed. I would like to draw the particular attention of the Hon'ble Minister to this aspect of the question.

(At this stage the member having reached the time-limit resumed his seat.)

**Mr. DHIRENDRA NATH DATTA:** Sir, I do not like to make a speech. May I put a question to the Hon'ble Minister that if the members of the Chittagong Division wish to wait upon the Hon'ble Minister to lay their grievances as to their division which is in imminent danger, whether he will be prepared to receive this deputation?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** Most certainly.

Mr. Deputy Speaker, Sir, it is with a sense of heavy responsibility that I rise today on the floor of this House to reply to this debate on an all-important question of the hour.

Sir, the suggestions—very healthy and helpful suggestions in many cases—which have been made in the course of this debate are extremely welcome to the department which I have the honour to represent on this occasion in this House. I welcome the detailed criticisms of the departmental activities and policy which have been made by responsible members of this House I also welcome the usual mud-slinging epithets which have been levelled against us by the Muslim League Opposition members because I recognise that even behind them and underlying them there may be a grain of sincere criticism which may be helpful to us in deciding our policy and course of action.

Sir, the different cut motions which have been moved and debated upon cover a variety of subjects which it is not possible for me to deal with within the limited space of time which can necessarily be allotted to me.

Sir, I find that Khan Bahadur Fazlul Qadir coming from Chittagong has discussed the question of civil defence in the Chittagong town and the neighbouring areas in some detail, but it is not possible for me to deal with it at the present moment. I can only remind him of the conference which I had with the members representing the Chittagong district only the other day and to which he has been pleased to make a passing reference. These members coming from the Chittagong district have been able to place before me at first hand their version of the story so far as evacuation and civil defence are concerned in the Chittagong district and it will be my earnest endeavour to scrutinise these suggestions and to give effect to them wherever possible. I do not desire to deal with that aspect of the matter at any great length because I am sure—as it has been recognised by the Khan Bahadur himself—that the local authorities under the leadership of the District Magistrate have been trying their very best to deal with the situation.

Then, Sir, coming to the suggestions and criticisms offered by my honourable friend Mr. J. C. Gupta, he has dealt with this question in

some detail. Mr. J. C. Gupta has referred to the conference which was held some time ago in this chamber for constituting a Central Committee in order to stimulate recruitment and public support to the A. R. P. services. That committee is in the process of formation and the personnel is likely to be announced in the course of this week. Some delay has occurred because I have to secure the consent of several leading citizens of Calcutta including some of the leaders of the different parties in this House. And it is my regret that the honourable the Leader of the Opposition has not seen his way to accepting a membership of this committee. I had expected that as he had taken part in the proceedings of this conference, he would have come forward to assist this committee with the benefit of his suggestions and his advice, but unfortunately that has been denied to us. He may have his own reasons. I am not going into them at present because I do not know them. But if the statement that he made on the floor of this House this morning be any indication of those reasons, I can only say that I deeply deplore them based as they are on an utter misconception of the entire situation.

Now, Sir, Mr. J. C. Gupta has also gone into some detail on the question of tubewells, alternative water-supply scheme, and so on and so forth. It is not for me now to deal elaborately with these points. It is not a matter of reply only with which we are concerned, but the real thing that ought to be done is to scrutinise those suggestions in the light of actual facts and if necessary to give effect to them.

Then, Sir, there is one characteristic speech coming from the Muslim League Opposition benches from Mr. Abdul Hamid who wanted that the Civil Defence Department of the Government of Bengal, should be removed from the Calcutta City and that immediate steps should be taken to retire from this City, bag and baggage, lock, stock and barrel, leaving it an easy prey to the ravages of the Japanese bombs. Sir, without meaning the slightest disrespect to the honourable member I do not think that any Axis propaganda could secure greater support from any member of this House than what has been done by the statement of the honourable member. (Mr. ABDUL HAMID: I have said a quite different thing. I said that all money has been provided for Calcutta and nothing has been left for mufassal.) I am glad to have his denial but that was the impression which was left in my mind.

Sir, Mr. Abdul Hamid advised Government to take up this position that Calcutta should be declared an open city. I do not know of any worse type of defeatism than what has been uttered by Mr. Abdul Hamid when he made that suggestion. We as the Progressive Coalition Party are not going to take up that stand, I can assure Mr. Abdul Hamid and those of his way of thinking.

Now, Sir, Mr. P. Banerji with the best of intentions also made a suggestion of that character that here and now we should declare that time has come for evacuating the city of Calcutta. I do not think so. The time has not come and I do hope the time will never come; at the same time I do say, as I have said already in another place, that it is quite welcome to those who are not required for any essential service in this city to provide for their own exodus in an orderly and disciplined fashion instead of rushing out of the city in a state of panic. If normal exodus confined only to those who are not engaged in any essential service can be organised by the persons concerned, every facility will be obtainable to them for giving effect to that desire, but Government is not contemplating any evacuation of the city. At the same time we make it perfectly clear that essential services in this city have got to be carried on even under circumstances of extreme stress and strain, even when—God forbid—the Japanese aeroplanes were whirling overhead. We desire to stick to this city till the very last and carry on our normal work in the usual normal orderly fashion.

Now, Sir, one observation was made by Mr. Banerji and I have taken down his words with some care. He said that Government have sent out military to different parts of the country. So far as this Government are concerned they are completely innocent of any such step. They have not sent out the military; they have no power to do so, nor have they any reasons to send out military for the proper functioning of Government. At the same time, it is an undoubted fact that preparations are being made all over the province for the military defence of the province by those who are charged and entrusted with that duty and if any untoward incident has happened in consequence of the posting of military in any place we have alreay had an assurance from the military authorities that if any complaint is brought to their notice they will deal with it with a very strong hand and I do not think that we can go beyond that. If complaints are made and substantiated with the necessary evidence of a reliable character, the military authorities will make it their duty to deal with the recalcitrant members of the military service in a very firm manner, so that no occasion would arise in future for any such complaint. I do not think, Sir, that it is at all right to say or to suggest that excesses have been committed on an elaborate scale. I do not know, Sir, that such excesses, even if committed on stray occasions, have not been firmly dealt with by the responsible authorities concerned. I would again ask the members of the House that if they found any such cases brought to their notice and passed them on to Government after proper scrutiny and responsible investigation so far as it may be possible for them to make, Government will have the necessary steps taken by the military authorities concerned. (Mr. P. BANERJI: The Hon'ble Minister is helpless!) Yes, I am helpless to deal with the

military authorities or the soldiers themselves, because under the Constitution under which myself and my honourable friends are functioning we are all helpless.

Then, Sir, my honourable friend Mr. Siddiqi has prefaced his remarks by saying—he was speaking in a most helpful spirit and I acknowledge that spirit because one of the earliest members of this House from whom I got the necessary response in the matter of the Central Committee was Mr. Siddiqi himself—that he unreservedly placed his services at the disposal of the Civil Defence Co-ordination Ministry, so far as this particular matter was concerned. He has offered to serve on it and give us the benefit of his help and guidance. Against that background, I shall deal with the observations which he has made.

Much of his observations was confined or related to matters which are outside the scope of this debate. For instance, he invited us to create a situation of peacefulness in this province. So far as the present Ministry are concerned, we are trying our very best not only to create a peaceful atmosphere which has been so ruthlessly disturbed by the happenings during the last Ministry's tenure of office but also to maintain it to the fullest possible extent. And we hope that the Pakisthan day which is going to be celebrated in Bengal in the course of a week or so will not contribute to a disturbance of that peaceful atmosphere for which Mr. Siddiqi is pleading on the floor of this House. Mr. Siddiqi has said that there should not be any discrimination in the matter of recruitment. I do not think that there is any justification, so far as that allegation is concerned. We have thrown our doors open to members of all communities and we are inviting them in the most cordial spirit. Let them come and have their rightful place in the organisation which has been set up and which we intend to make successful.

In this connection, I welcome the observation of Sir Henry Birkmyre. He has given a most detailed and most earnest and—I should say—a technical consideration to the different questions affecting the A. R. P. organisation, and his speech, when available to the department in print or in type,—I hope he will give me a copy of his speech—will be scrutinised in the light of our requirements and I expect to get the miximum benefit from the speech itself. Sir, I shall not deal with that speech any further now.

Then, Sir, certain general observations were made by Mr. Siddiqi and his Leader, Sir Nazimuddin. As my Leader, the Hon'ble Chief Minister, has said something on that point and as he reserves his right to speak more elaborately on this question, I do not desire to take up the time of the House at any greater length. But certain observations have been made even by Mr. Siddiqi with regard to the attitude which my Party has taken up or is going to take up regarding this

Civil Defence scheme. I take this opportunity of declaring here and now that my Party is full-hearted and full-throated in its support of all Civil Defence measures of the Government of Bengal. (Cries of "Hear, hear" from the Coalition benches.) And I also take this opportunity of quoting a few lines from the statement which will be issued authoritatively in a day or two from my Party in order to give a lie to the mischievous and malicious allegations which have been made that we are wavering in our support of Government in the matter of Civil Defence. I shall only confine myself to some of these observations which have been made in that statement. These are the lines which I should like to stress before the House at the present moment before I conclude my observations. Here is the statement: "Every effort should be made to resist the new menace of foreign aggression, whether from the west or from the east, that threatens our motherland. Advanced political opinion in India does not desire to have any master, not to speak of change of masters, in demanding that India should be enabled to attain and defend her freedom just as Free China, her neighbour, has been heroically defending hers for more than four years. As an earnest of sincere endeavour to defend our homeland, our party along with the parties in progressive coalition has been doing its utmost to help and promote this organisation of Civil Defence which is the particular charge of the Provincial Government of Bengal. The larger defence of the country against external aggression is not in the hands of representative Indians and has not been entrusted to their care. Yet so far as Civil Defence can contribute to the protection of our people against foreign aggression, our party is putting forth its best endeavour towards that end." Let there be no ambiguity, no hesitation, in the mind of anybody in this House or outside as to the attitude that our party has taken, is taking or will continue to take unequivocally over this all-important question. Towards the end of the statement it goes on to say: "And if any form of Government has always appealed to us it is democrary, genuine democrary, undictated from above or outside which can find room for that abiding regard for human values and freedom which has been the outstanding feature of the culture and civilisation of our great motherland." I cannot conclude my observations with words more eloquent than these. (Mr. P. BANERJI: What about the scorched earth policy?)

The motion of Khan Bahadur Fazlul Qadir that the demand of Rs. 1,24,81,000 for expenditure under the head "63—Extraordinary Charges in India" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Jogesh Chandra Gupta that the demand of Rs. 1,24,81,000 for expenditure under the head "63—Extraordinary Charges in India" be reduced by Rs. 100, was then put and lost.

The motion of Mr. A. M. Abdul Hamid that the demand of Rs. 1,24,81,000 for expenditure under the head "63—Extraordinary Charges in India" be reduced by Rs. 100, was then put and lost.

The motion of Mr. P. Banerji that the demand of Rs. 1,24,81,000 for expenditure under the head "63—Extraordinary Charges in India" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Abdur Rahman Siddiqi that the demand of Rs. 1,24,81,000 for expenditure under the head "63—Extraordinary Charges in India" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Dhirendra Narayan Mukherji that the demand of Rs. 1,24,81,000 for expenditure under the head "63—Extraordinary Charges in India" be reduced by Rs. 100, was then put and lost.

The motion of the Hon'ble Mr. Santosh Kumar Basu that a sum of Rs. 1,24,81,000 be granted for expenditure under the head "63—Extraordinary Charges in India" was then put and agreed to.

## Adjournment.

The House was then adjourned at 11-10 a.m. till 8-30 a.m. on Saturday, the 21st March, 1942, at the Assembly House, Calcutta.

## Proceedings of the Bengal Legislative Assembly assemble under the Provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Saturda the 21st March, 1942, at 8-30 a.m.

**Present:**

Mr. Deputy Speaker (Mr. SYED JALALUDDIN HASHEMY) in the Chai 7 Hon'ble Ministers and 200 members.

## STARRED QUESTIONS

**(to which oral answers were given)**

### Reconstitution of Advisory Committee for Kazi and Marriage Registr in Mymensingh.

***180. Khan Sahib HAMIDUDDIN AHMED:** (*a*) Will ·l Hon'ble Minister in charge of the Education Department be pleased state when the Advisory Committee for Kazi and Muhammadan Marriag Registrar for the district of Mymensingh has been reconstituted?

(*b*) Is it a fact—

(*i*) that some Muslim M.L.As. of the district, and

(*ii*) that a Muslim Chairman and also the 2nd Vice-Chairman the District Board,

have been excluded?

(*c*) If so, will the Hon'ble Minister be pleased to state the reasc therefor?

**MINISTER in charge of the EDUCATION and COMMERCE an LABOUR DEPARTMENTS (the Hon'ble Khan Bahadur M. Abd Karim):** (*a*) On the 15th January, 1942.

(*b*) Yes.

(*c*) In terms of items 5 and 6 of Government notificatio No. 673Regn., dated the 22nd September, 1941. Government a entitled to appoint as many members as they think fit.

**Mr. MIRZA ABDUL HAFIZ:** Is the Hon'ble Minister aware c the fact that all the M.L.A.'s and M.L.C.'s of the Muslim Leagu Party have been excluded?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** That is not a fact.

**Maulvi ABDUL LATIF BISWAS:** Will the Hon'ble Minister be pleased to state whether it is a fact that these Muslim M.L.A.'s and the Muslim Chairman and the Second Vice-Chairman of the District Board have been excluded as they happen to belong to the Muslim League Party?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** That is not a fact.

**Khan Bahadur MOHAMMED ALI:** I want to point out that question (*c*) has not been properly answered. Question (*c*) is: "If so, will the Hon'ble Minister be pleased to state the reason therefor," and the answer is "In terms of items 5 and 6 of Government notification No. 673-Regn., dated the 22nd September, 1941, Government are entitled to appoint as many members as they think fit." It is not a question of the number of members to be appointed by Government but the question is why some Muslim M.L.A.'s and the Muslim Chairman and the Second Vice-Chairman were excluded. That question has not been answered.

**Mr. DEPUTY SPEAKER:** You can put that question now.

**Khan Bahadur MOHAMMED ALI:** Will the Hon'ble Minister be pleased to state the reason for the exclusion of the Muslim M.L.A.'s of the district and the Muslim Chairman and the Second Vice-Chairman of the District Board?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** That was done, as I have already stated in the answer, because Government had to exercise its individual judgment and discretion in the matter of selection of the personnel of the Advisory Committee and in the exercise of that discretion some members had to be excluded.

**Khan Bahadur MOHAMMED ALI:** All belonging to the Muslim League?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** No, no. I may remind the honourable member that the name of the leader of the Muslim League Opposition in the Upper House who comes from Mymensingh is still there and it is quite possible that there are other Muslim League members also.

**Mr. ABUL HOSAIN AHMED:** With reference to question (*b*)(*i*), will the Hon'ble Minister be pleased to state whether the members excluded all belong to the Muslim League Party?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** No.

**Representation for a Sub-Registry Office in Burichang, Tippera.**

*181. **Maulvi MAFIZUDDIN AHMED:** (*a*) Is the Hon'ble Minister in charge of the Education (Registration) Department aware—

(*i*) that there is no Sub-Registry Office in police-station Burichang, Tippera;

(*ii*) that Burichang is a big thana; and

(*iii*) that representations were made to the Government by the people for a Sub-Registry Office within the thana?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what action he intends to take in the matter?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** (*a*) (*i*) Yes.

(*ii*) Its area is some one hundred square miles only.

(*iii*) Yes.

(*b*) As a result of an enquiry made, Government are satisfied that it will not be in the public interest to open an office at Burichang.

**Mr. DHIRENDRA NATH DATTA:** Will the Hon'ble Minister be pleased to state when the enquiry was made and when the decision was arrived at?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** The first enquiry was made some time in the year 1937 and the last enquiry was made I think last year. I cannot give you the exact date.

**Mr. DHIRENDRA NATH DATTA:** Will the Hon'ble Minister be pleased to tell us what public interest will not be served by opening a Sub-Registry office at Burichang?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** That is, as regards the additional cost to the Government, its own convenience and that of the public.

**References respecting crews of Sandip and Hatiya killed in enemy action.**

*182. **Mr. SYED ABDUL MAJID:** (*a*) With reference to the reply to starred question No. 21 on the 1st August, 1941, will the Hon'ble Minister in charge of the Commerce and Labour Department be pleased to state the number of references made by the Shipping Master to the District Magistrate of Noakhali?

(*b*) Will the Hon'ble Minister be pleased to state the period for which each of the reference is pending with the District Magistrate for enquiry?

(*c*) Is the Hon'ble Minister aware that delay in dealing with the references causes inconvenience to the dependants of the seamen killed in enemy action?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** (*a*) 56 references concerning 185 seamen.

(*b*) Only 5 references concerning 8 seamen are pending. The period for which each of these cases is pending has not been stated by the District Magistrate.

(*c*) Yes. Instructions have been issued from time to time to all District Officers to deal with these references as expeditiously as possible. As regards the delay in dealing with these references, the District Magistrate of Noakhali reports that much time is wasted in finding out the legal heirs on account of inaccurate and incomplete address of the deceased which does not correspond with the names of the villages mentioned in the Jurisdiction List and thana map. Persons killed by enemy action being all Mussalmans generally have a large number of heirs living in different villages of different circles. The difficulties of communication with the islands along with the above facts are mainly responsible for the delay. The preoccupations of the Circle Officer at present in cyclone relief work are also responsible for this delay to some extent. Steps are being taken through the Government of India so that the applications for compensation are correctly addressed.

**Dr. SURESH CHANDRA BANERJEE:** Does the Government want us to believe that in spite of their best efforts the whereabouts of these seamen could not be found out even in the course of a year?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** The answer is that inordinate delay occurs in finding out the proper heirs because they do not write properly. Generally they write the name of the man and say village "Noakhali". Noakhali is a big district.

**Mr. Syed ABDUL MAJID:** Will the Hon'ble Minister be pleased to state if he means to say that the addresses, i.e., the village, post-office and thana of these seamen were not supplied at the time when they were engaged or employed by the Shipping Master?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** It is for this reason that we are going to make a reference to the Government of India to give us the addresses as stated in the last part of my answer (*c*).

**Mr. Syed ABDUL MAJID:** Will the Hon'ble Minister be pleased to state what are the particular cases and the number of such cases in which difficulty has actually been found in tracing the legal heirs of these seamen killed by enemy action?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** To enable me to answer that question I want further notice.

**Mr. SIBNATH BANERJEE:** In view of the admission that there is considerable delay in making a reference and the money being paid to the heirs, will the Hon'ble Minister consider the desirability of making references not to the District Magistrates but to the Commissioner of the Compensation Court who is specially entrusted with this kind of work?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** I intend taking action in that direction.

**Mr. DHIRENDRA NATH DATTA:** In answer to question (*b*) it is stated "The period for which each of these cases is pending has not been stated by the District Magistrates." Will the Hon'ble Minister be pleased to tell us why the District Magistrate has not given us the period for which each of these references has been pending?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** If the honourable member so desires I will ask the District Magistrate to supply this information.

**Mr. Syed ABDUL MAJID:** Will the Hon'ble Minister be pleased to state now if compensation has been paid in those cases in which references have been dealt with in the meantime, that is, whether compensation has been paid in those 47 cases which have been dealt with out of the 56?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** I am not prepared to say just now whether compensation has actually been paid.

**Grievances of security prisoners.**

*183. **Mr. PRATUL CHANDRA GANGULI:** Is the Hon'ble Minister in charge of the Home Department aware that the continuous rise of the price of commodities has necessitated the lowering of dietary standard of the security prisoners to that of November, 1940?

**MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq):** There has been some rise in the cost of living but it is by no means as great as the difference between the actual cost of the scale allowed to security prisoners in November, 1940, and their present allowances.

**Mr. DHIRENDRA NATH DATTA:** Will the Hon'ble Minister be pleased to state what was the cost of the scale in November, 1940, and what is the present scale?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** The cost of living in November, 1940, was Rs. 108; in November, 1941, Rs. 121; on February 25, 1942, Rs. 124; i.e., increased to 16 per cent. The cost of dietary in November, 1940, was roughly 6 annas 6 pies and it is now 9 annas 6 pies—an increase of at least 46 per cent.

**Mr. NISHITHA NATH KUNDU:** In view of the rise in the prices of commodities will the Hon'ble Minister be pleased to state if Government has increased the dietary allowance to keep up the original dietary standard?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I may mention in this connection that individual cases are being considered and all these points will be taken into consideration in determining the allowance.

**Mr. SIBNATH BANERJEE:** Will the Hon'ble Minister be pleased to state from where he has got the figure of Rs. 128 as the cost of living, for as far as I know it is Rs. 155 compared to the pre-war average?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** My source is the usual source.

**Mr. SIBNATH BANERJEE:** That is very vague.

**Mr. DEPUTY SPEAKER:** That is a matter of opinion.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, it may be wrong, but I will look into it.

**General election of Comilla Municipality.**

*184. **Khan Bahadur ABIDUR REZA CHOWDHURY:** (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state what date was fixed for the last general election of the Comilla Municipality?

(*b*) Will the Hon'ble Minister be pleased to state whether the election has been postponed?

(*c*) If so, will the Hon'ble Minister be pleased to state—

(*i*) when it was postponed; and

(*ii*) the reasons therefor?

(*d*) Will the Hon'ble Minister be pleased to state whether it is also a fact that the elections of Brahmanbaria Municipality and Chandpur Municipality have also been postponed?

(*e*) If the answer to (*d*) is in the affirmative, will the Hon'ble Minister be pleased to state the reason therefor?

**MINISTER in charge of the PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Santosh Kumar Basu):** (*a*) The 21st March, 1942, was fixed for the general election.

(*b*) Yes, as the term of office of the municipal commissioners has been extended till the 31st October, 1942.

(*c*) (*i*) On the 26th February, 1942.

(*ii*) The reasons are explained in the Government notification extending the term of office of the municipal commissioners, a copy of which is laid on the Table.

(*d*) No.

(*e*) Does not arise.

*Notification referred to in reply to clause (c) (ii) of starred question No. 184.*

Tippera.—No. 509M.—26th February, 1942.—In exercise of the power conferred by sub-section (*5*) of section 56 of the Bengal Municipal Act, 1932 (Bengal Act XV of 1932), the Governor is pleased to extend the term of office of the Commissioners of the Comilla Municipality in the district of Tippera, for the period commencing from the date of expiry of the term of four years provided by clause (*a*) of sub-section (*1*) of the said section and ending on the 31st October, 1942, the special circumstances in which it has been thought fit to extend the

said term of office being that, the last general election of the Commissioners of the said municipality having been held in the year 1937-38 under sub-section (3) of section 24 of the said Act, the next general election is required to be held in the year 1941-42 but as the four-year term of office of the present Commissioners of the said municipality prescribed in clause (*a*) of sub-section (*1*) of section 56 of the said Act, commenced on the 16th September, 1938, they will not complete the said term of office if the general election were held in the year 1941-42.

**Mr. MIRZA ABDUL HAFIZ:** Will the Hon'ble Minister be pleased to state whether the special circumstances apply to the Brahmanbaria and Chandpur municipalities?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** I do not think so, because the time that elapsed between the election and the first meeting in the case of the other two municipalities was much less.

**Maulvi MAFIZUDDIN AHMAD:** Will the Hon'ble Minister be pleased to state whether he sent a wire to the Comilla Municipality to stop its election?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** I did not send any.

### Election of the Noakhali District Board.

*185. **Mr. SYED ABDUL MAJID:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state when the Noakhali District Board was last constituted and when its reconstitution was due?

(*b*) Has the electoral roll been prepared, printed and finally published?

(*c*) Will the Hon'ble Minister be pleased to state what is the cost that has been incurred for the preparation of the electoral roll by the District Board?

(*d*) Is it a fact that the date of election was first fixed in November, 1941, and was subsequently postponed once to January, 1942, and then to April, 1942?

(*e*) Is it a fact that the election has again been postponed to June, 1942?

(*f*) What are the grounds for such postponements?

(*g*) Will the Hon'ble Minister be pleased to state whether the electoral roll prepared on the basis of payment of union rates before the 31st Chaitra, 1347 B.S., remain in force for the District Board Election to be held in June next, i.e., after Chaitra, 1348 B.S.?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** (*a*) The District Board of Noakhali was last constituted in July, 1936, and its reconstitution was due in July, 1941, when the five-year term of office of the members of the Board expired.

(*b*) and (*d*) Yes.

(*c*) Rs. 22,187.

(*e*) The election has been postponed to November, 1942.

(*f*) The local officers were originally asked to hold the election in November, 1941, so that it might take place after the rainy season on the basis of an electoral roll containing names of persons paying rates in the year 1347 B.S. The election was subsequently postponed at first to January, 1942, and then to April, 1942, on the reports of the local officers that the relief operations would suffer if the election were held in November, 1941. The election has been further postponed to the last week of November, 1942, as Government do not consider it desirable that the district of Noakhali should be thrown into the throes of an election campaign at the present critical juncture.

(*g*) According to rule 23(*1*) of Part I of the Rules for Direct Election to District Boards, the electoral roll already prepared will remain in force for a period of three years from the date of its final publication.

**Mr. Syed ABDUL MAJID:** Will the Hon'ble Minister be pleased to state what is the present critical juncture which caused the postponement of the election again and again?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** The last postponement was on account of the present critical juncture but the other postponements were for other reasons which have been set out in the reply. As regards the present critical juncture, I can only point to the enemy menace.

**Mr. Syed ABDUL MAJID:** In view of the fact that the elections of the Noakhali and the Narayanganj Municipalities have been just held why does the Hon'ble Minister consider that the election of the District Board of Noakhali should be postponed again and again?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** I am only concerned with the last postponement because the other postponements did not relate to the present critical juncture. If the decision with regard to the Noakhali Municipality had not to be taken so early, probably Government would have considered that it would not be difficult to hold the election in view of the present menace. But so far as Narayanganj and other Municipalities are concerned, the elections have passed off and the menace has not materialised yet.

**Khan Bahadur MOHAMMED ALI:** With reference to answer (*g*), namely, that the electoral roll will remain in force for a period of three years from the date of its final publication, is the Hon'ble Minister aware that the electoral roll prepared on the basis of payment of union rates and cesses in 1941 will not hold good for an election to be held in 1942 because the election rules lay down that a person who had paid the union rate for the previous financial year is entitled to vote. Now if a person has paid up to 31st March, 1942, he will be entitled to vote for an election in 1942, but if the old electoral roll is allowed to remain in force, and if the election rules hold good, some persons may not be allowed to vote on the basis of the electoral roll prepared in 1941. Therefore, this sum of Rs. 22,000 spent on this account will be simply wasted.

**The Hon'ble Mr. SANTOSH KUMAR BASU:** I can assure the honourable members that all these considerations were taken into account by the law officers of Government and it is on their advice that this reply has been framed.

**Khwaja Sir NAZIMUDDIN:** Will the Hon'ble Minister be pleased to state why after the postponement of the election of the Noakhali District Board when representations were made by the Narayanganj Municipality for the postponement of its election, it was not postponed although the war menace was also in existence there?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** So far as Narayanganj is concerned, local officers did not recommend it.

**Mr. Syed ABDUL MAJID:** Will the Hon'ble Minister be pleased to state if it is a fact that the election fixed to be held in April, 1942, was postponed at the request of some of the members of this Assembly as they apprehended defeat if the election was held.

**The Hon'ble Mr. SANTOSH KUMAR BASU:** It was not so.

**Khan Sahib HAMIDUDDIN AHMAD:** Is the Hon'ble Minister aware that the Municipal election at Noakhali was held before the decision for postponement of the District Board election was taken and that there the Muslim League candidates had swept the election?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** I am not in a position to say whether they swept the election.

**Khan Bahadur MOHAMMED ALI:** As there is a very important announcement of Government contained in answer (*f*) that due to the

present critical juncture elections have been postponed, will the Hon'ble Minister be pleased to state if it is the policy of Government to postpone all general elections because the critical juncture still remains?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** Each case will be considered on its own merits.

**Khan Sahib HAMIDUDDIN AHMAD:** Is it a fact that the election has been postponed because Government thought that the Muslim League candidates would sweep the polls?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** It is not so.

## UNSTARRED QUESTIONS

**(to which answers were laid on the table)**

### Administration of Bhatpara Municipality.

**80. Mr. NIHARENDU DUTTA MAZUMDAR:** (*a*) Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state whether the attention of Government has been drawn to the Notes of Audit of the Accounts of the Bhatpara Municipality for the year 1938-39 as submitted by the Examiner of Local Accounts, Bengal?

(*b*) Is it a fact that several municipal commissioners of the Bhatpara Municipality including the Vice-Chairman were reported to have been in arrears of municipal rates and taxes since 1st April, 1938, for two years and over?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state whether the number and names of the defaulting commissioners and the reasons, if any, for their continued default have been reported to Government?

(*d*) If so, will the Hon'ble Minister be pleased to lay on the Table a copy of the said report?

(*e*) Will the Hon'ble Minister be pleased to state whether Government have taken any steps under section 62 (2) (*f*) of the Bengal Municipal Act, 1932, or in any other way.

(*f*) Will the Hon'ble Minister be pleased to state whether he has received any representations from any of the rate-payers about the maladministration of the Bhatpara Municipality towards the end of 1940?

(*g*) If the answer to (*f*) is in the affirmative, will the Hon'ble Minister be pleased to state—

(*i*) whether Government made any enquiries into the allegations contained therein; and

(*ii*) what are the findings of the Government enquiry, if any?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** (*a*) and (*f*) Yes.

(*b*) The answer is in the negative. It has been ascertained that the Statement E annexed to the Audit Note for the year 1938-39 actually relates to the payment of taxes by the municipal commissioners for the period from the 1st April, 1939, to the 17th March, 1940, when the audit was completed. All the municipal commissioners are reported to have paid their taxes for the years 1938-39, 1939-40 and 1940-41 within the years to which they related.

(*c*) to (*e*) The questions do not arise.

(*g*) (*i*) Yes.

(*ii*) The matter is under the consideration of Government and a decision is expected to be reached shortly.

**Mr. SIBNATH BANERJEE:** With reference to answer (*d*) will the Hon'ble Minister be pleased to state why he does not agree to the laying of a copy of the audit report on the table?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** It is a somewhat voluminous document and if my honourable friend desires to have a look at it, I shall be very pleased to show it to him.

### Collection of rent in kind in khasmahal.

**81. Maulvi ABDUL HAKIM (Mymensingh):** (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether there is a custom of collecting rent in kind from *raiyats* in any khasmahal in Bengal?

(*b*) If the answer to (*a*) is in the affirmative, do the Government contemplate its abolition?

**MINISTER in charge of the REVENUE and JUDICIAL and LEGISLATIVE DEPARTMENTS (the Hon'ble Mr. Pramatha Nath Banerjee):** (*a*) No.

(*b*) Does not arise.

### Powers of the Deputy Speaker.

**Dr. NALINAKSHA SANYAL:** Sir, I was just wanting to know your ruling regarding the powers of the Deputy Speaker which you assured us would be given to-day.

**Mr. DEPUTY SPEAKER:** I will give my ruling on Monday.

## DEMAND FOR GRANTS.

### 28—Jails and Convict Settlements.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** On the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 48,34,000 be granted for expenditure under the head "28—Jails and Convict Settlements".

**Dr. NALINAKSHA SANYAL:** Mr. Deputy Speaker, Sir, I beg to move that the demand for Rs. 48,34,000 for expenditure under the head "28—Jails and Convict Settlements" be reduced by Rs. 100. The object of the motion is to raise a discussion on the continued failure to formulate and pursue a comprehensive policy of jail reforms, including provisions for—

(*a*) control over the increase in the jail population during recent years;

(*b*) better living conditions in the jails and increased equipments;

(*c*) more humane treatment of the prisoners by the warders and jail officials;

(*d*) revision of the present system of classification of prisoners and special treatment for political prisoners including security prisoners and detenus;

(*e*) supply of better food and clothing and mosquito-curtains for prisoners;

(*f*) supply of a limited quantity of tobacco for smoking;

(*g*) abolition of *ghani* labour and similar type of excessively hard labour;

(*h*) revision of the rules for interviews and communications with prisoners;

(*i*) better arrangements for medical aid and education and training;

(*j*) more equitable basis for remissions of sentences and for revisions after regular periods;

(*k*) control of corruption and abuse of authority on the part of officials; and

(*l*) reform of the Manufactory Department of Jails.

Sir, with the experience that we had for the last few days of budget discussion, I thought it would be wiser for me to put all my points in one comprehensive motion so that even if the Deputy Speaker intervened and would not allow me time enough to dilate upon them, the picture would be there. I hope the House will excuse me for having put the thing concisely in one comprehensive motion. This also may help the Hon'ble Minister to give specific replies and would not permit him to evade replies by way of tall promises. (The Hon'ble Mr. A. K. FAZLUL HUQ: That is my privilege!)

Sir, the administration of the Jails and Convict Settlements departments has been extremely unhappy for a number of years and we have been continuously pressing for some enquiry into the various grievances and complaints brought to light from time to time and yet we regret nothing tangible appears to have been done so far. The revision of the Bengal Jail Code, which was insistently exposed to be out of date and out of keeping with the present-day conditions, has been turned down and we find that, in addition to the provisions in the Jail Code, some unknown rules, laws or orders were issued by the department and certain powers assumed by the police authorities by virtue of which interference is made in the matter of the administration of jails by persons not contemplated in the Jail Code itself. We trust that the present Government would take courage in both hands and try to have a committee appointed forthwith to go into various questions of jail reforms and come forward with their proposals at an early date providing humane treatment to prisoners and better approach to the question of jail administration.

Sir, it appears to me that the Government of Bengal are living in the Nineteenth century in regard to jail administration. The whole outlook of administration of jails and the handling of prisoners has undergone a tremendous change during the last two decades in other civilised countries and also in some adjoining provinces of this country and yet, Sir, I fail to understand why the province of Bengal should lag behind others in the matter of a forward policy.

Sir, it will take really a long time to examine in detail the various measures of reform that I have indicated and I hope that some of the speakers who will come after me will take up individual questions in fuller details. I plead from my personal knowledge that something has to be done immediately because the whole administration is rotten from top to bottom.

Sir, in order to save the time of the House, I would give a short narration of my own experience last year from the time I was required

to enter the jail up to the time I had to come out. Some of these actual experiences are recorded in black and white and the note of the Superintendent of the jail is also recorded thereon, so that there can be no disputing the facts that I state and I would like to stand before any tribunal to prove every word that I utter.

Sir, the first thing that occurred was at Berhampore. On the day when I was charged with an offence, the ubiquitous C. I. D. could not manage to get any other witness to give evidence against me but the Superintendent of the jail Rai Sahib Jamini Mohan Mookerjee, who happened at one time to be a class-mate of mine 26 years ago, and who came up to the witness-box and said that he knew my hand-writing very well, although he had not seen it ever since our school days, and he testified that the notice I sent to the District Magistrate about my intention to offer *satyagraha* was in my handwriting. The fact was not going to be disputed and I told that much to the trying Magistrate. But the whole court laughed and the position of that Superintendent was absolutely put down by the ubiquitous C. I. D. who wanted to get somebody to give evidence against me but could not get anybody else. The Superintendent of the jail was an easy and simple tool in the hands of the Police and he could be made to do or say anything at their bidding. This Superintendent of the Berhampore Juvenile Jail looked so silly before the whole audience in the court-room that some of the muktears and lawyers said that if I allowed them to cross-examine him, they would expose this man thoroughly. I prevented them from doing that because I was a *satyagrahi*. The Superintendent did all these so that he might possibly become a "Rai Bahadur"!

Then, Sir, when I went to the jail, I found that invidious distinction was being made between a prisoner and a prisoner of the same class and even Division III prisoners of different categories and Division I and II prisoners who were supposed to be permitted to meet each other were not so permitted. There in the Juvenile Jail the Superintendent at my request arranged for training of the boys who were there and I was asked to draw up a scheme of curriculum for giving them training for the three or four months that I might be kept there. And the Superintendent at the suggestion of the Jail Visitor Mr. Sasanka Sekhar Sanyal permitted me to teach these boys thereby saving some Government money and giving me some work in the jail. After two or three days of such teaching, however, at 9-30 p.m. at night I was suddenly ordered to leave the jail by one o'clock train the next morning. I was sleeping and suddenly the Deputy Jailor came and told me "you are asked to leave the jail to-night for Calcutta." I said "this is an absurd proposition because to-morrow is the Saraswati Puja Day. I have made arrangements for getting materials for offering Puja at Berhampore in the jail from my home." My inconveniences were not

at all appreciated. My people could not be informed and I was peremptorily ordered to leave the jail that very night. Although surely the administration would not have crumbled down if I were permitted to stay there for one day more, yet it was not done. Why it was not done is still a mystery to me, and on the day before, i.e., on the 31st January, there was a small incident. A jail warder struck on the head of a poor under-trial prisoner and the man was bleeding profusely from the head. There was no medical attendance provided to him for nearly two hours. It was an open wound. Whether there was a fracture of the skull or not I could not know. I was on the first floor and I could see from above what was happening on the ground and I saw personally how without the slightest reason or provocation the jail warder struck the man on the head and broke his head. When I reported that matter to the Superintendent, something fishy was noticed in his attitude and immediately thereafter I was asked to be transferred to Calcutta the following day. I was not sorry for this transfer, after all, because it enabled me to meet some of our Assembly comrades in the Alipore Jail. At Berhampore I saw another interesting thing. The *Statesman* was permitted to be used by Division I prisoners. Of course the *Statesman* first went to the house of the Jailor and after he read it, in the afternoon he permitted the paper to be used by the prisoners, but the first page of the *Statesman* was taken out. The first page of the *Statesman* ordinarily contains notes about death, birth and marriage registers and advertisements and all that, about which nobody is interested so much, but on Sunday, as you all know, the first page of the *Statesman* gives all the foreign news. I asked the Superintendent as to why the first page was taken out and the Deputy Jailor showed me a sort of order saying that the first page of the *Statesman* will be taken out. That order was as old as of Queen Anne's time. I told him that in other jails near Calcutta we found that the whole of the *Statesman* was allowed, but, Sir, they did not do it there. This shows that there are some rules for mufassil jails and some other rules for jails near about Calcutta.

Sir, these are all small things but this will give you an idea of the jail administration in actual practice. While at Alipore Jail I again found, Sir, that the interviews of prisoners were arranged not by the Jail Superintendent, but under orders of the C. I. D. and, Sir, this was entirely contrary to what reply the then Hon'ble Minister in charge gave to a question put by Mr. Atul Chandra Kumar, a member of this Assembly, where he said that the Superintendent was the authority to issue orders for interviews, but he had the right of consulting the Special Branch for knowing the class of person he was going to permit.

(At this stage the honourable member reached his time-limit but was allowed to speak for 15 minutes more.)

At the Alipore Central Jail we discovered that every petition for interview had to be separately given even for interview with the same.

members of the prisoner's family—his wife and children. Even for them individual and separate application had to be sent every time and every time the Superintendent used to forward it to the Special Branch Department or Intelligence Branch Department concerned, and it is only after they sanctioned the petition that the Superintendent issued orders for interview. If it was a fact that the Superintendent had to know about the reliability of the person or persons with whom interviews could be permitted, surely that was not the method of ascertaining the reliability nor could it be necessary to ascertain the same on every occasion for the same person for every time the interview was held. Sir, a petition put by me requesting that such and such persons, namely, my wife, my daughter and my son be permitted to interview me at regular intervals of one week, which was permissible under the rules, was turned down. The Superintendent said, "I have no authority to accept general petitions like that. You must put separate petitions every week for every interview." The result was that no Division I prisoner was permitted to avail of the opportunities of interviews provided in the Jail Code, and whenever there was a holiday, the office had the plea that there was some delay in the matter of sending out notices of interviews to Special Branch Department with the result that the petition was delayed and the poor prisoner was penalised because something happened in between. The Superintendent said that he was helpless and when any representation was made to the Government, the Government turned a deaf ear to the representation and nothing was done.

Thereafter, Sir, we found that certain most humiliating conditions were imposed for interviews with dear and near relations of the prisoners. Sir, contrary to the practice in some other jails, in the Alipore Central Jail, we found there was a long table about 10 feet in length by about 4½ feet in width, which was supposed to be the interview table, on the length side of which in one corner the prisoner was to sit and on the other side the interviewing person was to sit and on two sides of it there should be one Police Officer on one side and on the other side the Deputy Jailor or one Jail Officer. There is no provision in the Jail Code for anybody other than a Jail Officer to be permitted to be present at the time of interview, and when, Sir, I, with a very humble request, wanted to know on what authority the Police was present, peremptorily all my subsequent interviews were stopped. Then I prayed to Government by a petition, dated the 5th May, 1941, and in that petition my prayer was this: "that your petitioner prays that Government may kindly direct a responsible officer like the Deputy Secretary, Home (Jails) Department or the District Magistrate of the 24-Parganas to make an immediate inquiry into the actual procedure followed in this jail for interviews in the light of the rules of the Jail Code and to remove at an earlier date such grievances as may be found

to be genuine." That was my prayer and yet nothing was done not only so long I was there, but even afterwards, and, Sir, a thoroughly lying reply, a grossly unfair and misleading reply was given on the floor of this House a few days ago suggesting that there was no occasion for taking action because I was released. Sir, the position was this: I was not granted an interview although the Superintendent allowed the interview. I have even now in my possesion a letter signed by the Superintendent and addressed to my wife for an interview on the 11th May, but on that day when she went, the Police stopped her from entering the jail. The Superintendent said "I am helpless" and when this matter was brought to my notice I discovered that there was a sort of report from the I. B. officer on the previous interview who, however, said nothing very dangerous. I have managed to get a substance of this report, confidential notes from the Jail Officer and from the Police Officer, and that is why I challenged Sir Nazimuddin to show the report Government will not be able even to stand half a minute's scrutiny in this matter. I draw the attention of the Government to this fact because I have got a copy with me and I have also got a signed statement of the Superintendent who also said that so long as he was here if any enquiry was made he would expose the Government and he would not tell a lie. The Superintendent had to go on military duty on the 15th of July. The Government or persons responsible for these affairs did not have the courage to bring the matter even to the notice of the Superintendent before he left India.

Sir, the report of the I. B. official amounted only to this: "Interview of Dr. Sanyal, Division I prisoner, with so and so. Before the interview started Dr. Sanyal took his seat on the chair meant for the I. B. officer and questioned the Deputy Jailor under what authority the I. B. officer came to be present. He said that neither the Jail Code nor the rules for the conduct of prisoners provided for the presence of the I. B. officer and demanded if there were any rules or Government order to this effect. He said that he was fighting the British Government."—I never said that I was fighting the jail authorities, I was there for fighting the British Government,—"and did not intend to fight the petty officers of the Jail Department, but would try to do what he could about this matter when he was out. Throughout his attitude was defiant." This was the report against me. And for this offence what was done? The Superintendent saw the report of the Jail Officer but did not consider it sufficient to penalise me and had my interview on the following date fixed. But, suddenly an order came from the Additional Secretary to the Government of Bengal "You must stop the interview", possibly because somebody represented to that officer that the Superintendent was not going to listen to the request or the orders of the Police. The Superintendent said "I must have a written order." The Additional Secretary had not the courage to send a written order but he simply said it on the 'phone and what was

worse! When the Superintendent referred the matter to the Inspector-General of Prisons that officer also kept quiet and silent. I have in my possession my representation to the Superintendent and his written reply thereto, and if any enquiry is made I shall be in a position to substantiate all this. I am afraid this book of mine had been seen by the officials, but, Sir, somehow they thought that truth was so damaging for them that it would be impossible for them to stop it. What happened afterwards? At somebody's suggestion long after the incident an entry was made in my "history ticket" showing some kind of punishment. That entry was dated 13th May, 1941. Under the Jail Code any punishment inflicted must be entered in the Punishment Register, but nothing like that was done in my case. Sir, only an entry was made, which was dated 13th May, 1941, to this effect: "Warned for creating disburbance at the time of the interview on 4th May, 1941." My punishment was only a warning, not a punishment stopping interviews. Even on that I immediately drew attention of the Superintendent that I did not deserve the punishment. He said that this was done at the instance of the Police and added "I think it would help the interview. I hope you will not mind." This is known to all my Assembly comrades who were then in the jail. I do not like to confine my remarks to my personal matters. Humiliating conditions were suffered by every one. My esteemed friend Mr. Haripada Chatterjee knew nothing about the sudden decision of the jail authorities to search everybody when one was going to the interview or coming out. When he went to have an interview with his wife on one occasion suddenly he was asked to take his shirt off and people began to put their hands into his pockets and all that. This was the most humiliating condition for which naturally Mr. Chatterjee said he could not accept interviews and he had to go without any interview for a long time.

**Mr. CHARU CHANDRA ROY:** Please state the date of the search.

**Dr. NALINAKSHA SANYAL:** After this date, after I complained about the method of the interview. Representations were made to the Inspector-General of Prisons, who, being himself guilty of corruption and bribery, could not have the courage to face us, see and meet us and find out whether there was any truth in the allegations made.

I am afraid it will take a very long time of the House if I am to detail all these incidents. Therefore, Sir, I would confine myself to the specific problems of reforms that we demand. In the first place we complain that the classification of prisoners is done without any sense whatever. If, as is provided in the Jail Code, the classification is to be made on the basis of the standard of living of the person, the question of punishment, the question of particular section of the Indian

Penal Code under which a particular person is sent to prison should not arise, and yet, Sir, respectable youngmen of good families are put in division III. Not only that, but with some amount of zeal they are placed in hard labour. Some of the prisoners, who were arrested in connection with the Court Disturbance that was held some time last year, were put in *ghani* labour and five of them were also handcuffed in the Alipore Central Jail—standing handcuffs in the month of March.

Then Sir, we find that apart from classification, the food supplied needs thorough overhauling. In the year of grace unknown to us a standard of food was laid down in the Jail Code for different classes of prisoners and a list of permissible food allowance is shown there. We have found from experience that most of this food, particularly rice, *ata* and *dal* are often wasted. When we represented to the Superintendent that for the money provided for rice, if people could not take as much rice as was sanctioned, some vegetable or fish might be given, he replied that he was unable to do that because the Jail Code was definite that he must give only so much of each article. As a result we found every morning bucketfuls of rice and *dal* were literally thrown into the drain and drained off. Today if you come with me I can show you what quantities are being drained off every day in the Alipore Central Jail and other jails in Bengal. We have represented this matter humbly in the interests of economy and for better food. And I again ask Government to at least keep this rice unboiled so that this huge wastage may be prevented. We know that there will have to be some amount of latitude provided because some rice and other food materials had to be distributed amongst the cattle and swan belonging to jail officials and ducks and geese also, which have to be maintained inside the jail compound. But this burden also is a huge one. Yet we cannot prevent that wastage.

Sir, recently in the Central Provinces and Bombay, an examination was made into the quality of food supplied in jails and the calorific value thereof and that enquiry held by medical men, scientific men, showed that the food-supply required overhauling, and yet nothing seems to have been done in Bengal. No attempt has so far been made to see that the food provided is fit for human consumption, for maintaining prisoners in health.

About clothing, the less said the better. The clothing provided——

(At this stage the red light was on.)

Sir, I would require 10 minutes more.

**Mr. DEPUTY SPEAKER:** You have already taken nearly half an hour.

**Dr. NALINAKSHA SANYAL:** Hereafter I shall not talk about controversial matters.

**Mr. DEPUTY SPEAKER:** All right. Please try to finish your speech early.

**Dr. NALINAKSHA SANYAL:** With regard to clothing, we found that it was too meagre and sometimes it was such that people could not even come out with some decency before us. Of course I admit that there has been some improvement in this respect of late. But even then the clothing continues to be very inadequate.

Then, Sir, there is a great need for mosquito-curtains in various jails, particularly in those jails where mosquitoes are proverbially and dangerously large in number and yet, Sir, Government seem to take no measure in this direction.

Sir, I have stated *seriatim* the various matters of complaint. It would not be possible for me to go through all of them, but, Sir, I would now emphasise one or two other matters. In regard to various proposals of reform that appear in the Jail Administration Report of this year (1942) which related to the year 1940, we have a number of steps in connection with jail reforms stated.

Sir, I submit on the authority of the experience that we have that most, if not all, of the statements made therein are either false or far from a complete statement of truth. I would not say that they are entirely false; they are inadequate, they are not the correct picture of the truth regarding things that happen. Sir, there is mention of a radio set being provided in the Alipore Central Jail. While we were there in the Alipore Central Jail a radio set was supposed to have been installed, but that radio set could not be listened to even by men within six feet of the set and it was one of the old sets for village propaganda given by the Public Relations Committee for the maintenance of which, we understand, a large amount of money will be required. It was not a new set in which electricity from the town could be utilised, but it was a set to be worked on the battery system and it was one of the old worn-out sets, one of the primitive sets, that could be had in the province, and so practically there was no amenity provided to the jail inmates at all. Similarly in the matter of water-supply, in the matter of improvement of health conditions, in the matter of providing grants for libraries we find a total inadequacy in every respect. In the matter of library there is a sort of rule that more than five books cannot be retained by anybody, and although there are students in the jail and they require books prescribed for their course of study they are not permitted to retain a requisite number of books of their own. How this rule is being put into operation is exemplified in the case of Dr. Sharat Chandra Mukherji. He had three parts of the Gita, a religious book, and as such is not supposed to come within the purview of the restrictive rule for five books. But, of the three volumes of the Gita only one was allowed and the other volumes

were not permitted to be brought at a time. Later on, he was first allowed to retain two of the volumes and then subsequently he was allowed to retain only one of the other volumes.

Then, Sir, Mr. Nikunja Behari Maiti, another esteemed friend of ours, could not get a volume of the Jail Code inside the jail, because the Jail Administration appears to have laid a ban on the Jail Code. We do not know how the jail administration can be improved without the prisoners first knowing what the provisions are there in the Jail Code. There is a rule that the provisions of Jail Code should be hung up on the walls and be known to the prisoners; yet the Jail Code was not allowed.

Sir, I now come to the question of remissions. We could not find out any principle or method followed in this respect. We found that influential persons like Mr. Gubbay of the Gariahat Excise Raid Case, who had no work to do but to enjoy comfortable rest in the jail hospital, were given very high remission; and a small bird whispered that he had spent a lot of money and got that remission.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Who is the person the honourable member is referring to?

**Dr. NALINAKSHA SANYAL:** He was Mr. Gubbay of the famous Gariahat Excise Raid Case. But, Sir, the poor prisoners who were working in the kitchen for prolonged hours at great risk to their health—some of them having even burnt their hands and feet —could not be provided with suitable remissions. We are not speaking of providing maximum remission but only of the remission to which the perisoners doing hard work are entitled under the rules. Sometimes remissions were allowed after the expiry of the jail term so as not to enable such prisoners who have completed their term of imprisonment to enjoy the remissions in time. Sir, this state of affairs is still continuing because there is no supervision. And I now come to the supervisors themselves.

Sir, there can be no honest supervision because there is corruption and bribery going on inside the jail and outside amongst the officials. I have evidence to prove that the Inspector-General of Prisons utilises the services of the Jail warders and Jail staff for his personal affairs, which he is not entitled to. He has purchased at the cost of the jail a set of instruments for treating pharyngitis or such a throat disease, for which he wanted a special treatment himself by applying the ultra-violet ray in the throat. Though the instrument was purchased for the jail hospital, the jail hospital has never seen that instrument and it is still lying in his house. Similarly, Sir, patent medicines are

taken from the jail hospitals at the cost of the poor prisoners and the money spent on medicines for jail patients is utilised for patients elsewhere.

Then, Sir, there is a section in the jail for preparing clothings. We found that we could have a suit made for eight annas if we happened to be known to the Jailor or the Deputy Jailor or the Superintendent of the jail. We also found jail materials going out in cartloads to where the Superintendent proposed to build a house. This is happening everyday. Once we found a big *ruhit* fish meant for the prisoners going upstairs to the Jailors' quarters and when we enquired how it could be so, the reply was that it was an extra-supply. And similar things were noticed by others as well. We noticed that the contractors were compelled to do this because ridiculously low rates of tenders are accepted from them. The contractors make it up by giving short weight and when they give short weight they have to please the staff. That is going on day in and day out. Corruption does not stop there—corruption also goes even further in the matter of remissions, as I have already said; it goes on in the matter of money that the prisoners receive from outside even. We have noticed how the prisoners' own money, somehow or other, disappears and then something happens by which after an amicable settlement the money reappears.

Now, Sir, I come to the last item of my complaint, viz., the administration of the Manufactory Department of Jails. I would not take a long time of the House. I know there was Jail Industries Enquiry Committee, and that Enquiry Committee has come out with a report. I would not go into the details of the report, because I know my friend Mr. Sibnath Banerjee would speak on jail manufactories. But before I conclude I would tell the House that it was discovered by that Committee that a commercial method must be adopted and unless that is done the jail industries could not be reformed.

**Mr. MIRZA ABDUL HAFIZ:** Sir, I beg to move that the demand of Rs. 43,34,000 for expenditure under the head "28—Jails and Convict Settlement" be reduced by Rs. 100. The object of the motion is to raise a discussion about imparting necessary education and vocational training to the illiterate prisoners and others and adopting a policy to release them if found rectified and repentant even before the expiry of their period of conviction.

Sir, the old order changeth yielding place to new—this rule applies always in every sphere of every nation in the world, but it does not apply here. The world is progressing by leaps and bounds, day in and day out, but I cannot find any reason why there will not be any reform or improvement in the administration of jails in this province. I cannot hold the view that the policy and principle that had been

adopted in this department some hundred years back should still go on without ay change, any reform or improvement. It may be that the policy was better at that time as was thought by the Government or some fertile brains. It may be that the policy produced effective results then but there is absolutely no justification to follow that course even now when much water has flown down the river Ganges since then. So, Sir, a policy, comprehensive and exhaustive as far as it may be with respect to the jail reforms, should be thought out, formulated and given effect to throughout the province as early as possible.

Sir, if we look at the state of education of convicts in jail what do we find? We find that more than 85 per cent. are still illiterate. Taking the figure of 1939 which is available we see that out of 34,839 convicts including 606 females, 29,322 are illiterate.

Sir, has the Government nothing to do to remove the illiteracy of the convicts? If not, how a civilized Government can expect that the criminalities will gradually disappear and the convicts would be rectified and be infused with morally-improved ideas and thoughts? Of course while the department was under Sir Nazimuddin during the last Ministry the course of primary education was introduced in the Central Jails of Dacca, Rajshahi, Midnapore, Presidency, Alipore and some others as an item of reform in the jail administration. But this is not satisfactory. A comprehensive scheme for the introduction of an educational system at least up to class VI should be introduced in one and all the jails that exist in the province so that they may not revert into illiteracy again and a moral consciousness may arise in their minds and goad them out of criminal intentions and desires. For this purpose a systematic arrangement should also be introduced for their vocational training and ample facilities should be given to the convicts for their respective manufacturing productions after training on alluring, lucrative and remunerative basis.

Then in that case it can be reasonably expected that a sufficient number of the convicts may be found rectified and repentant on their past misdeeds and criminalities. And if there be a board consisting of some officials and non-officials to see once or twice a year whether some of the convicts are really repentant and rectified and if it is deemed proper they may, on furnishing sufficient security or surety binding for a limited period, release them before the expiry of their period of conviction. In that case I think the result may be unexpectedly satisfactory and favourable. For doing so the Jail Code may be amended accordingly.

But, Sir, can we expect any such or any other healthy and salutary reforms in the Jail administrations under the present Ministry? Sir, the grievances of the convicts are manifold and multifarious. The outlook of supplying the unsatisfactorily poor provisions for diets and

clothings to the Division III prisoners, the maltreatment and difference of treatment with that of the European ordinary convicts under the maladministration of the Jail authority which they get with a thousand and one other defects—that must have to be altered and changed for ever and for good. They must get more humane treatment. Reform all these in the administration of jails and then the conduct and character of the convicts and prisoners will be reformed gradually and automatically.

But who will undertake the charge to reform these? The Hon'ble Mr. Fazlul Huq? No, he cannot. He is too busy under the direction of his guide Dr. Mookerjee, the Hindu Mahasabha leader, to arrest, prosecute and persecute the Muslim League workers and innocent Muslim students sympathising with the Muslim League to swell the prison houses under the abuse and misuse of the Defence of India Rules, etc., at the cost of the Muslim cause and nation.

So, what more can we expect from such a Ministry in whom the Muslim Bengal has got absolutely no confidence?

With these words I commend the motion for acceptance of the House.

**Dr. NALINAKSHA SANYAL:** Sir, may I have your leave to make a present to the Hon'ble Home Minister this wonderful measurement which I brought from the Berhampore Jail for measuring mustard oil to be supplied to Division III prisoners? This contains 25 drops of mustard oil and is commonly known as 'dabbu' in the jail.

(The member showed the measurement to the House and there was much laughter.)

**Mr. DHIRENDRA NATH DATTA:** Mr. Deputy Speaker, Sir, I beg to move that the demand of Rs. 48,34,000 for expenditure under the head "28—Jails and Convict Settlements" be reduced by Rs. 100. The object of the motion is to raise a discussion about (*i*) allowing the Division I and Division II prisoners to read the *Statesman* and *Azad* only and not to allow the use of any other papers; (*ii*) the unsatisfactory diets, clothing of the Division III prisoners; (*iii*) the policy of not allowing the use of any papers so far as literate Division III prisoners are concerned; and (*iv*) failure of Government in taking steps to remove the illiteracy of illiterate Division III prisoners.

Mr. Deputy Speaker, Sir, I beg to draw the attention of the Hon'ble Minister why the *Statesman* and *Azad* should be allowed to be read by the Division I prisoners and why literate Division III prisoners should not be allowed to use any paper. Then, Sir, I want to draw the attention of the Hon'ble Minister to the unsatisfactory diets given to the Division III prisoners. Here I would point out that there is difference of diets between sub-jails and District Jails and the

Presidency Jail, and so far as sub-jails are concerned the diets are absolutely unsatisfactory. I think, Sir, the Hon'ble Minister is not aware of the fact that in the sub-jails there is none to take care of the diets and the conditions of the prisoners in the sub-jails are absolutely miserable. Improvement should be made with regard to that. So far as the diets of the Division III prisoners are concerned, they are absolutely unfit for human consumption; they are diets for cattle. They must be improved and improvement must be effected immediately.

Then, Sir, so far as the Division III prisoners are concerned there is no provision even for dining sheds in many cases. You know, Sir, in my district of Tippera there is heavy rainfall and there is rain everyday and there is no dining shed, and you can understand the miserable condition of the Division III prisoners. Immediate provision should be made for dining sheds in all the jails so far as Division III prisoners are concerned.

Then, Sir, I also wish to draw the attention of the Hon'ble Minister that much of the corruption in jails is due to the fact that there is no supply or a limited supply of tobacco for smoking Most of the prisoners are addicted to smoking and when they go to jail they cannot change their habits and when they do not get tobacco they take recourse to corrupt means.

Then, Sir, steps must be taken by Government to remove illiteracy in jails. I do not know whether the attention of Government has been drawn to this but immediate steps should be taken in this direction and there is ample room for improvement.

In this connection, Sir, I want to draw the pointed attention of the Hon'ble Minister that there is distinction between European warders and Indian warders in the Presidency Jail. In the Presidency Jail as well as in Alipore Jail there are European warders on Rs. 200 and Indian warders on Rs. 22 There should not be any racial discrimination specially when the duties allotted to them are the same. The European warders are getting Rs. 200 a month while the Indian warders get only Rs. 22 per month. I submit, Sir, that there should not be any racial discrimination and this sort of distinction should be done away with at once and I think the attention of Government should be drawn immediately to this fact and they should be requested to do away with this kind of distinction as between European warders and Indian warders in the Presidency Jail. In the Alipore and the Presidency Jails the duties of the European warders and the Indian warders are the same, but the difference in pay is so great - the European warders getting Rs. 200 a month and the Indian warders getting only Rs. 22 per month. The European warders get more pay than the Deputy Jailors. The education of the European warders is practically the same as that of the Indian warders and they have to do the same kind of duties. So, Sir, this distinction must be done

**away with. Government should take immediate steps to remove this distinction. Racial discrimination like this, especially in these days, cannot be tolerated and we shall not tolerate it.**

Sir, I do not want to take any more time of the House. I only want to draw the attention of the Hon'ble Minister in charge to the unsatisfactory condition about diet and clothing, especially in the sub-jails. Not only *Azad* and the *Statesman* should be allowed to be used by the prisoners, but other papers as well should be permitted.

With these few words, Sir, I commend my motion to the acceptance of the House.

**Dr. SHARAT CHANDRA MUKHERJEE:** Mr. Deputy Speaker, Sir, I beg to move that the demand of Rs. 48,34,000 for expenditure under the head "28—Jails and Convict Settlements" be reduced by Rs. 100. The object of the motion is to raise a discussion about the desirability or otherwise of keeping a ward for prisoners suffering from Tuberculosis, in the Birbhum, Alipore and Tippera districts and smoking restriction of the prisoners in jails and its consequences.

Sir, যাহারা বাহিরে স্বাধীনভাবে বাস করে এবং বিচরণ করে এবং যাহারা যে কোন কারণেই হউক কারাগৃহে অবরুদ্ধ থাকে এই উভয়ের অভাব অভিযোগের কথা তুলনা করিলে দেখা যায় যে উভয়ের মধ্যে বিশেষ কোনও পার্থক্য নাই। বরং অবরুদ্ধদের অভাব অভিযোগ অনেক বেশী। যাহারা বাহিরে থাকে, তাহারা নিজেদের কথা কর্তৃপক্ষ-দের জানাইবার স্বাধীনতা পায় এবং অপরেও সে বিষয় লইয়া চেষ্টা করিতে পারে। কিন্তু দুর্ভাগ্য কয়েদীরা সাধারণের দৃষ্টির অন্তরালে সুদৃঢ় প্রাচীর মধ্যে বদ্ধ থাকায় তাহাদের দুঃখের কথা ভাবিবার বা বলিবার কেহ থাকে না এবং কঠোর বিধি নিষেধের রূঢ় প্রয়োগ বশতঃ তাহারাও কিছু জানাইতে পারে না। তাই তাহারা বিভিন্ন অপরাধে অপরাধী হইলেও তাহাদের স্বাভাবিক অধিকার হইতে তাহারা বঞ্চিত থাকে।

সৌভাগ্যবশতঃ যাহারা জেলের সহিত সংশ্লিষ্ট থাকে অথবা তাহাদের সহিত ভাগ্য মিলাইয়া তাহাদের সহবাসী হয়, তাহারাই সহানুভূতির চক্ষে তাহাদের অভাব অভিযোগের বিষয় দেখিতে পায় এবং তাদের অবস্থা বুঝিতে পারে। আমার সে সৌভাগ্য কয়েকবার হওয়ায় এবং জেলের সঙ্গে নানাভাবে সংশ্লিষ্ট থাকায় আমি সেই দুর্ভাগা কয়েদীদের অনেক কথা জানি।

আমি আজ আমার ছাটাই প্রস্তাবে তাহাদের অনন্ত অভাব অভিযোগের ভিতর মাত্র দুইটী বিষয় লইয়া আলোচনা করিব।

১। কারারুদ্ধ যক্ষারোগীদের কথা—সমস্ত বাংলাদেশে বর্তমান সময়ে যক্ষারোগ কিরূপ ভীষণ ব্যাপকতা লাভ করিতেছে তাহা কাহারও অবিদিত নাই। বলিলে অত্যুক্তি হয় না যে ক্রমশঃ ম্যালেরিয়ার মতই যক্ষারোগ বিস্তার লাভ করিয়া কত অসংখ্য গৃহে যে তাহার দুরারোগ্য ক্ষত রাখিয়া যাইতেছে তাহা বর্ণনা করা যায় না। জেলের কয়েদীরাও অনেক সৌভাগ্য হইতে বঞ্চিত হইলেও এই ভীষণ দুর্ভাগ্য হইতে বঞ্চিত

হয় নাই। দিন দিন জেলের ভিতর এই ক্রুর ব্যাধি বৃদ্ধি পাইতেছে। এবং তাহাদের বিশেষ চিকিৎসার জন্য কুমিল্লা ও সিউড়ী জেলে ২টী পৃথক হাসপাতাল আছে। অন্য কোনও জেলে কোনও কয়েদী যক্ষারোগে আক্রান্ত হইলে উক্ত স্থানে তাহাদের পাঠাইয়া দেওয়া হয়। সিউড়ী জেলে T. B. Hospitalএ ৩০।৩৫টী bed আছে এবং যখনই আমি জেল পরিদর্শনে গিয়াছি, তখনই আমি দেখিয়াছি যে হাসপাতালটী পরিপূর্ণ অবস্থায় আছে এবং হতভাগ্য রোগীরা কত যে তাহাদের অভাব অভিযোগের কথা জানায়, তাহার ইয়ত্তা নাই। আজ পর্য্যন্ত কোনও যক্ষারোগাক্রান্ত কয়েদী যে আরোগ্য লাভ করিয়া ফিরিয়া আসিয়াছে তাহা জানা যায় না। এই হাসপাতাল দুটীতে এ পর্য্যন্ত যক্ষারোগের জন্য যে আধুনিক চিকিৎসার ব্যবস্থা আছে, তাহার মোটেই প্রয়োগ হয় না। ১৯৩৯ সালের Administration Reportএ দেখা যায় যে Suri জেলায় X'Ray installation অনুষ্ঠিত হওয়ায় Artificial Preumo-thorax চিকিৎসা চলিতেছে। কিন্তু আমি বিশেষ করিয়া জানি ১৯৩৯ সালে তাহা একেবারেই হয় নাই। এমন কি, জেলের ভিতর এই treatmentর জন্য যে apparatus আবশ্যক তাহাও ছিল না। কুমিল্লায় মাত্র সম্প্রতি X'Ray installation হইয়াছে। আমার বিশ্বাস সেখানেও A. P. (artificial Preumo-thorax treatment) এখনও আরম্ভ হয় নাই। A. P. ব্যতীত আরও বিশেষ বিশেষ চিকিৎসা বিভিন্ন Sanatoriumএ সাধিত হয়। সে সকলের কোনও ব্যবস্থা কয়েদীদের জন্য অবলম্বিত হয় না। যদিও সাধারণ রোগীদের অপেক্ষা T. B. রোগীদের পথ্য কিছু উদারভাবে দেওয়া হয় কিন্তু আবশ্যকের তুলনায় উহা অত্যন্ত সামান্য। ঔষধ-পথ্য ব্যতীত যক্ষারোগের চিকিৎসায় climatic effect অর্থাৎ স্থানীয় আবহাওয়ার শক্তি অনেক পরিমাণে কার্য্য করে। সেই জন্য এইরূপ রোগীদের কোনও স্বাস্থ্যকর স্থানে, বিশেষ পার্ব্বত্য দেশে, বায়ু পরিবর্ত্তনের উপদেশ সর্ব্বদাই দেওয়া হয়। কুমিল্লা ও সিউড়ীর জল বায়ু এত ভাল নয় যাহাতে এই দুটী স্থান T. B. convictsএর জন্য উপযুক্ত বলিয়া গণ্য করা যাইতে পারে। তাহা ব্যতীত একজন চিকিৎসক যাহাকে জেলের সাধারণ হাসপাতালের রোগী দেখা ও জেলের অন্যান্য প্রয়োজনীয় কার্য্যে এত ব্যস্ত থাকিতে হয়, তাহার পক্ষে এই বিশেষ রোগীদের উপর যথেষ্ট দৃষ্টি দেওয়া অসম্ভব। বরং দুঃখের সহিত বলা যাইতে পারে যে দুর্ভাগা রোগীগুলির মৃত্যু আসন্ন ও নিশ্চিত জানিয়া স্বাভাবিক আলস্য ও ঔদাসিন্য আসা অসম্ভব নহে। তারপর এই দুঃস্থ রোগীদের পরিচর্য্যার কথা। ইহার জন্য কয়েক জন সাধারণ কয়েদী, যাহারা স্বাস্থ্য রক্ষার কোন নিয়মই মানে না এবং এ বিষয়ে সম্পূর্ণ অজ্ঞ, তাহাদের নিযুক্ত করা হয়। এই দায়িত্বপূর্ণ কার্য্যের ভার তাহারা শুধু কর্ত্তৃপক্ষের চাপে এবং কিছু বিড়ি বা তামাক এবং ২।১ খানা মৎস্যের লোভেই গ্রহণ করে এবং মূর্খ রোগীরাও উহাদের নিকট হইতে ২।১টী বিড়ির পরিবর্ত্তে তাহাদের মহামূল্য খাদ্য, মৎস্য বা ডিম্ব বা মাখনের সহিত বিনিময় করিয়া নিজেদের নানারূপে ক্ষতিগ্রস্ত করিয়া থাকে। যাদবপুর হাসপাতালে যাহারা Ward Assistant থাকে, মাসে ২ বার করিয়া X'Rayর সাহায্যে তাহাদের বুক পরীক্ষা করিয়া দেখা হয় এবং কোনওরূপ সন্দেহ হইলে তাহাদের ঐ কার্য্য হইতে বিরত করিয়া তাহাদের রক্ষাকল্পে প্রতিবিধান করা হয় কিন্তু দুর্ভাগা কয়েদীদের ভাগ্য অন্যভাবে নিয়ন্ত্রিত। তাহাদের জীবনের মূল্য সরকারী হিসাবে অতীব ক্ষুদ্র।

সিউড়ী জেলটী সহরের প্রায় মধ্যস্থলে অবস্থিত থাকায় জনসাধারণের ভিতর একটা আতঙ্ক সর্ব্বদা বর্ত্তমান আছে। এই T. B. Hospital টীকে অন্যত্র স্থানান্তরিত করিবার জন্য বহুবার জেলা কর্ত্তৃপক্ষদের জানান হইয়াছে কিন্তু সরকার বাহাদুর এ বিষয়ে মোটেই মনোযোগ দেন নাই। আমি প্রস্তাব করি যে বাংলাদেশের কোনও একটী উৎকৃষ্ট স্বাস্থ্যকর স্থানে (পার্ব্বত্য দেশ হইলেই ভাল হয়) এই যক্ষারোগাক্রান্ত কয়েদীদের জন্য একটী বিশেষ হাসপাতাল প্রতিষ্ঠিত হউক। এই হাসপাতালে অন্যান্য Sanatoriumএর মত ত্রুটিহীন পূর্ণ ব্যবস্থা রাখা আবশ্যক। এবং বিশেষভাবে শিক্ষিত কয়েকজন চিকিৎসক কেবল উহাদিগের জন্য নিযুক্ত করা হউক এবং তাহারা মুক্ত অধিবাসীদের মতই বাঁচিয়া থাকিবার জন্য পূর্ণ অধিকার লাভ করুক। যে সমস্ত T. B. convict বাহিরে যাইয়া কোন Sanatoriumএ থাকিয়া চিকিৎসিত হইতে চায় তাহাদের অবিলম্বে মুক্ত করা হউক। কোন আইনের গণ্ডীতে তাহাদের আবদ্ধ রাখিয়া উৎকৃষ্টতর চিকিৎসা হইতে বঞ্চিত করিয়া মৃত্যুপানে দ্রুত অগ্রসর করিবার দুর্ণাম হইতে মুক্ত থাকিবার মত সুবুদ্ধি যেন সরকার বাহাদুরের জাগ্রত হয়।

২। Smoking restriction in the jails and consequences—ধূমপান সম্বন্ধে বিধি-নিষেধ ও তাহার কুফল।

জনসাধারণের প্রায় শতকরা ৯০ই জন লোক তামাক বিভিন্নভাবে ব্যবহার করে। এই অভ্যাস দীর্ঘ দিন অনুসৃত হওয়ায় প্রাকৃতিক নিয়মে পরিণত হইয়াছে বলিলেও অত্যুক্তি হয় না। এই তামাকের দোষগুণ বিচার করিয়া ইহা ক্ষতিকর ও বর্জনীয়। এই হিতোপদেশ আমি দিতে চাই না। আমি বলিতে চাই, এই অভ্যাস কদভ্যাস হইলেও এ সম্বন্ধে যে নিষেধ-আজ্ঞা কার্য্যকরী আছে তাহা উঠাইয়া লওয়া হউক। যাহারা নিজের খরচে কিনিয়া খাইতে চায় তাহাদের সে সুবিধা দেওয়া হউক এবং যাহারা নিজের খরচে কিনিয়া ব্যবহার করিতে না পারে, তাহাদের সরকারী খরচে নির্দ্দিষ্ট পরিমাণে তামাক বা বিড়ি সরবরাহ করা হউক।

এই বিড়ি তামাকের জন্য জেলের ভিতর যে কি পরিমাণ অপকার্য্য সাধিত হয় এবং যাহারা সরকারী রক্ষীরূপে কার্য্য করে তাহারা ইহার সুযোগ লইয়া কিভাবে উপরি আয়ের ব্যবস্থা করে, সে কাহিনী শুনিলে আশ্চর্য্য হইতে হয়। ২।৪টী বিড়ির সাহায্যে জেলের ভিতর একজন অধিবাসী যে কত অসঙ্গত সুবিধা গ্রহণ করে, তাহা অবর্ণনীয়। সুতরাং আমি বিশ্বাস করি আমার এই প্রস্তাব গৃহীত হইলে কারাগৃহের শতকরা ৬০ ভাগ অপকার্য্যের অবসান হইবে।

এই কথা বলিয়া আমি আমার এই ছাটাই প্রস্তাবটী সকলের সমর্থনের এবং মন্ত্রী-মহোদয়ের গ্রহণের জন্য উপস্থাপিত করিতেছি।

**Mr. SIBNATH BANERJEE:** I beg to move that the demand of Rs. 48,34,000 under the head "28—Jails and Convict Settlements" be reduced by Rs. 100. The object of the motion is to raise a discussion about giving effect to the recommendations of the Bengal Jail (Industries) Enquiry Committee.

One of the reasons why I was appointed as a member of this Committee was that probably I was one of the few members in this House who had long experience and inside knowledge of jails and the Home Minister whoever he was, always thought that it was better that I should be in jail. That was the consideration why I was taken on the Committee. Naturally I was very glad when I was taken on it. But as soon as I read the terms of reference of the Committee I was immediately disillusioned. I thought that the list of grievances—a dozen or so—which my friend Dr. Sanyal had placed before this House and the other grievances—at least two dozen more—which all those who had occasion to go to jail know, we would have the opportunity of going into and making suggestions for the improvement of the conditions of prisoners but the terms of reference were only about Jail industries. Though we tried our best to extend the scope of that enquiry by all sorts of means even then the scope remained very limited. For instance we suggested that the terms of reference must include—

(1) The question of not increasing the profits of jail industries in disregard of the basic ideal of the reformation of convicts.

(2) The question of introduction of power-driven machinery in both existing and new industries where its introduction is justified on both humane and economic considerations.

(3) The question that jail industries are required to maintain their instructional aspect in order that the training given to convicts in particular industries may stand them in good stead for earning their livelihood after release.

(4) The question of consideration of relevant factors that have a bearing on the economy of jail industries or affect the working efficiency of convicts.

We wanted to consider the food problem, the problem of education of convicts and all other relevant matters but as we were circumscribed by the terms of reference we could not very well do so. We were guided by the principles which were laid down long before in the Indian Jails Committee Report of 1921, but unfortunately more than 21 years have passed since then and still those recommendations have not been given effect to. In the report of the Indian Jails Committee we find: "Extraction of profit cannot be the true object to be kept in view in the selection of prison labour. The object must rather be the prevention of crime through reformation. It is customary here to draw a distinction between that which is deterrent and that which is reformative. But we think it is more correct to regard the whole question as one of reformation. Reformation may be assisted by providing a prisoner with such work as will train his hand, eye or mind or otherwise make him more fitted to earn his livelihood honestly

outside the jails rather than the labour which will be distasteful and irksome to prisoners and will not urge on any endeavour in him to reform". These are the considerations that weighed with us, but I am glad to inform the House that we could present to the Government a unanimous report though in the Committee there were all sorts of diverse elements, my friend, Khan Bahadur Mohammed Ali who has now come over to this side, Mr. Siddiqi, the Principal of the Enginering College, myself and all sorts of other elements with different political ideologies were there but fortunately the report has been unanimous. The report was signed as early as 17th December and it has not yet been printed. The members of this house have not yet been able to get a copy of it. Within the 5 minutes at my disposal I shall not be able to go into details of this voluminous report but I would request the members to go through the report when it is out. I hope it will be published very soon. Here I would like to emphasise only one aspect of it. I went round most of the jails along with others who had not been there before. One thing which I knew very well and which the other members also learnt from the inspection of industries that are carried on in jails is how things are not to be done and not how things are to be done. There is a colossal wastage of human labour and also of material. I do not want nor have I time to go into details. The report will give you most of the details. There is only one aspect which I would like to emphasise and that is the question of paying the convicts for the work that is being done in jails. There has been a great deal of discussion about it, but now I think it is almost unanimously accepted that the prisoners when they come out of the jails come out without anything in their pocket and they find that all the land, properties and even jobs which they held before they went to jail have all gone. They have nobody to look to and, therefore, they are forced to take to criminal ways for their very bare existence. Therefore, it has been suggested that there should be some fund available from which help could be given to them. We have suggested that as long as they are in jail they should be paid for the work they do. That will be an incentive to them to put in more work, and when they come out they will have something with which to start their life outside. This is a principle which has been accepted by other countries. I need not quote Russia. There it has been accepted long ago. Now it is accepted also in England. Not only there but in Bombay also this principle has been accepted. I hope that Bengal will not lag behind and that it will accept this principle. That is the only humane way of dealing with the prisoners and if they are provided with some money and some instruction while they are in jails there is less chance of their falling into old criminal ways.

(On reaching the time-limit the member resumed his seat.)

**Mr. NISHITHA NATH KUNDU:** Mr. Deputy Speaker, Sir, I am not going to move my motion but shall make a few observations on the original motion under discussion. The remarks I want to make this morning will be made in a spirit of offering some helpful suggestions to the Minister and not with the intention in any way to embarrass him. But one thing must be made clear. Those whom we represent here in the Assembly want us to render them some service. If we fail to do it, certainly we feel embarrassed. If as members of the Progressive Coalition Party we are helpful to the Cabinet and the Council of Ministers we can legitimately expect that they will also be helpful to us and will not put us into inconvenience. Sir, the list of complaints that has been placed before this House this morning by Dr. Sanyal is almost exhaustive but I must add that they are not exaggerations but truths and sometimes more than truths. Drastic reform is necessary in the jail administration and I am glad to find that our Ministers are applying their minds very seriously to it. My only submission is that speedy action should be taken in these matters because these reforms are so very urgent and necessary that delay practically means denial in many cases. Some time ago I personally reported to the Hon'ble the Chief Minister direct about three security prisoners and I also approached him through the Hon'ble Mr. Pramatha Nath Banerjee but I am sorry to tell the Hon'ble the Home Minister that I have not yet been informed as to what steps have been taken in these matters. I shall now refer to three cases I have just mentioned. One of them is that of Srijut Pratap Chandra Mazumdar who has been suffering from high blood pressure and has not had sound sleep at night for some time. I do not know if proper medical treatment has been given to him He was in the Hijli jail from where he has probably been transferred now to the Dacca jail. Another case that I referred to him refers to Srijut Nripati Bhuson Chatterjee who has been suffering from ear and nose troubles for some time past and is now lodged in the Presidency Jail. As far as I am aware, no arrangement has been made for his medical treatment. I also brought to the notice of the Hon'ble the Home Minister the case of Dr. Dhirendra Nath Banerjee, B.A., L.M.F. He was released from detention only three or four years ago and was earning about Rs. 200 a month before his subsequent arrest. He has again been arrested as a security prisoner. He had to maintain about 13 dependants including his old parents, his wife and children and his unmarried sisters. He has prayed for family allowance but he has been granted the very ridiculously low family allowance of Rs. 20 per month. I cannot imagine how his family consisting of 13 members can be given the barest subsistence with this meagre sum of Rs. 20 a month.

Then, Sir, there are other urgent cases where reform is necessary. I do not want to give a detailed account of them within the short

space of time available to me. It will be sufficient if I say that even those privileges, those amenities which are permissible under the Jail Code are not allowed to the prisoners with the whimsical way in which jail administration is carried on by the jail authorities. I would suggest, therefore, that frequent visits by the Hon'ble Ministers themselves and specially deputed members should be arranged, and that a permanent Standing Jails Committee should be constituted to look into the genuine grievances of prisoners and for their removal.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** In replying to the debate that has taken place I find that I have to deal with matters affecting a department which is one of the most unpopular of the departments we have got to administer and I will, therefore, ask my esteemed friends to give me a latitude in dealing with the questions that have been brought forward because I cannot claim to be speaking from personal knowledge of affairs. To my right and to my left are very esteemed friends who have been inside the jail and know things first hand, and I am aware of the risk that one has got to run if he contends facts which others have derived from experience. I am, therefore, obliged to fall back upon statements in cold print and, although I do not challenge the statements made, I will ask my friends to take into consideration the various factors which weigh with Government in conducting matters relating to the administration of jails. Sir, I do not differ with my esteemed friend, Dr. Nalinaksha Sanyal, in the fundamental proposition that humanity above everything else and as far as possible should be the guiding principle in dealing with prisoners because the jails are meant not for depriving people of their liberty but for emphasizing the fact that those who are sent to jails have broken laws which they should have respected, and for giving time to them for reflection and, therefore, for reformation by means which are now known throughout the civilised world to wean away from the path of sins persons who have been swayed away by temporary impulse of the moment or by any other unforeseen circumstances. That is a fundamental proposition and I think the various reforms that have been made were done on that consideration. As the time at my disposal is short I will make a brief statement on the points that have been raised by the various speakers.

Beginning with the subject of my friend, Dr. Nalinaksha Sanyal, I must say that I could not follow what he meant by the control over the increase in the jail population in recent years. Possibly he has made a comprehensive charge meaning that while the jail rate has been increased, arrangements for the convenience of prisoners have not been adequate with the rate of increase. But whatever that may be, the other charges that have been made cover a comprehensive charge like this.

I will now deal with the question of treatment of prisoners in jails. I will not make a long statement but will only refer to some of the salient points which I should ask the House to take a note of. Prisoners are classed in Divisions I, II and III according to their social status and mode of life, and the provisions of the Bengal Jail Code are applicable to them.

**Dr. NALINAKSHA SANYAL:** Supposed to be.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I am not prepared to dispute any of the statements of my friends but it may be noted that the treatment of undertrial prisoners is governed by the rules in chapter XXVII of the Jail Code. Security prisoners have been treated according to the provisions made in the Bengal Security Prisoners Rules, 1940, but they are also for purposes of discipline and treatment subject to such provisions of the Jail Code relating to division II convicts as are not inconsistent with Security Prisoners Rules or any other special orders passed by Government in this behalf. Presumably the honourable members wanted to raise a discussion about ill-treatment of prisoners by jail staff. It may be noted here that the Board of Visitors for Jails have had no occasion to report on the ill-treatment of prisoners by jail staff. (Dr. NALINAKSHA SANYAL: That is another sham. The visitors are absolutely chosen from weak-kneed people except one or two who record their protests.) What I have got in my note is this.

In July, 1941, my esteemed friend Dr. Nalinaksha Sanyal published a statement relating to jail reforms and ill-treatment of prisoners and it was examined in detail. His remarks about the working of the Berhampore Jail and the abolition of the *ghani* system are noticeable. The Berhampore Jail where the juveniles are mostly concentrated, is now under the charge of a whole-time Superintendent with two teachers, 1 drill master, 1 tailor master and 1 weaving master and so far there has been no complaint by the prisoners against the jail staff. As regards employment of prisoners on *ghani*, it may be noted that formerly there was no time-limit and all non-political prisoners who were fit for work in the oil-mills were generally employed there for one month only. Recently the maximum limit has been fixed at 3 months but the rigour of the work has been reduced and only prisoners sentenced to 6 months' rigorous imprisonment or less, are employed there. No political prisoner has worked at the *ghani* either for one month before or 3 months after the increase of the maximum limit. Only prisoners accustomed to manual labour outside, are put to the *ghani* and educated prisoners are exempted from the *ghani* even as a punishment. The

abolition of *ghani* has been recommended by the Bengal Jail Industries Enquiry Committee and the question is under consideration of the Inspector-General.

As regards the point of according humane treatment to prisoners by jail staff, it may be noted that in July, 1940, some Division II prisoners of the Alipore Central Jail were punished by the Superintendent with separate confinement for one month for refusing to hold their history tickets properly during the Inspector-General's inspection and for being rude to him. In January, 1941, an undertrial prisoner was struck by a warder in the Berhampore Jail for disobedience of orders for not sitting in file for the Superintendent's daily parade. Disciplinary action was, however, taken against the warder.

In May, 1941, some security prisoners in transit from Chittagong Jail to High Special Jail were handcuffed but not roped during transit from the jail to the steamer ghat. *Gharis* for this part of the journey were provided but the prisoners refused to avail themselves of the conveyance. The officer responsible for escorting was of the opinion from their attitude and behaviour that they might attempt to escape. The treatment of security prisoners on transfer is regulated by the Police Regulations, Bengal, rule 700. The attention of the officials concerned has, however, been drawn to the instructions on the subject.

It will appear from the few cases cited above, that there was sufficient justification for the steps taken in those cases and that no case of undue harassment to prisoners has come to the notice of Government.

Sir, coming to the question of diet, I may say that Division III prisoners are given diet as prescribed in Jail Code rule 1095. There are also provisions for special diet on special occasions in Jail Code rules 690, 691 and 692. The opinions of the Board of Visitors of the several jails also show that store, cooking and issue of food is on the whole satisfactory. It will be seen from statement No. IX in the Bengal Jail Administration Report for 1940, that the average cost of dietary charges per head was Rs. 48-13. During the course of the debate on budget cut motions, Mr. Suhrawardy who spoke in the absence of the Hon'ble Home Minister quoted the figures of other provinces and said that this Government were spending more on the diet of prisoners as compared with many other Provincial Governments. It has been reported by an expert that all the diets with the exception of class II Punjab prisoners appear to be of sufficient caloric value for an average person doing hard work. Recently Dr. M. N. Rao has been deputed to undertake further examination of the scale of diet for Division III prisoners in the Alipore Central Jail. His report is awaited.

Then, Sir, I want to say something regarding clothing for Division III prisoners. Jail Code rules 1159 and 1160 give the scale of clothing and equipment for Division III prisoners. The allowance of additional clothing has also been provided in these rules.

Then Sir, as regards the tobacco habit, all I can say is that it is a bad habit, but we cannot ignore the fact that those who are addicted to smoking can hardly be expected to give it up That is a point to which the attention of the Government has been drawn on more than one occasion and I may say that at present the position is this At present tobacco is allowed to the following classes of prisoners. Division I prisoners at their own cost, undertrial prisoners at their own cost, civil prisoners at their own cost, convict sweepers at Government cost, condemned prisoners at Government cost and convict warders at Government cost from gratuity. The question of supply of tobacco to other prisoners was considered by Government in connection with replies to questionnaire on jail reforms, but no action was taken in the matter. The conference of Superintendents of Jails of Bengal held in July, 1939, also discussed the matter and recommended that the privilege of smoking tobacco might be allowed to well-behaved Division II prisoners at their own cost under certain restrictions. The conference also observed that it should not be allowed indiscriminately to all prisoners either at Government cost or at prisoner's cost The last conference of Inspectors-General of Prisons held in January, 1939, also went into the question, but after giving detailed reasons for rejecting a proposal for the general introduction of tobacco in jails, only recommended the concession to Star class, special grade, "Honour" or "Red Collar prisoners" in provinces where such grading of prisoners was in vogue and where separate accommodation for such prisoners was available. The Inspector-General was consulted on this proposal but he rejected it on the ground that it has not been possible to introduce the "Star classification" of prisoners in Bengal jails due to lack of separate accommodation.

Now, Sir, I think it will be a waste of time for me to go through the replies that have been prepared by the department and so I do not wish to read out the whole thing without really being able to vouch for the accuracy or the truth of what has been stated. What I propose to do is—and I submit it for the consideration of the House that I will go through the official reports of the speeches and I will take the points raised one by one. I am prepared, if the honourable members will help me, to take their help in studying the points that have been raised. If enquiries are necessary, I promise that those enquiries will be made and as a first instalment I am prepared to visit some of the jails with my friend Dr. Sanyal who has raised the points to find out how far

these allegations make out a *bona fide* case. Instead of wasting time by defending what has been done, I propose to take this action. I hope that this will satisfy my friends.

The motion of Dr. Nalinaksha Sanyal that the demand of Rs. 48,34,000 for expenditure under the head "28—Jails and Convict Settlements" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Mirza Abdul Hafiz that the demand of Rs. 48,34,000 for expenditure under the head "28—Jails and Convict Settlements" be reduced by Rs. 100, was then put and lost.

The motion of Mr. Dhirendra Nath Datta that the demand of Rs. 48,34,000 for expenditure under the head "28—Jails and Convict Settlements" be reduced by Rs. 100, was then put and lost.

The motion of Dr. Sharat Chandra Mukherji that the demand of Rs. 48,34,000 for expenditure under the head "28—Jails and Convict Settlements" be reduced by Rs 100, was then put and lost.

The motion of Mr. Sibnath Banerjee that the demand of Rs. 48,34,000 for expenditure under the head "28—Jails and Convict Settlements" be reduced by Rs. 100, was then put and lost.

The motion of the Hon'ble Mr. A K Fazlul Huq that a sum of Rs. 48,34,000 be granted for expenditure under the head "28—Jails and Convict Settlements" was then put and agreed to

### 13—Other Taxes and Duties.

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** Mr Deputy Speaker, Sir, on the recommendation of His Excellency the Governor, I beg to move that a sum of Rs. 5,03,500 be granted for expenditure under the head "13—Other Taxes and Duties".

Sir, the question of taxation is a question taxing not only this country but the whole world. So far as the present demand is concerned, the receipts in 1942-43 under the head are estimated at Rs. 1,94,35,000 as against the budget estimate of Rs. 51,37,000 and the revised estimate of Rs. 87,35,000 in 1941-42 and the actual of Rs. 53,04,951 in 1940-41.

In this connection, Sir, I might invite the attention of honourable members to page 19 of the Blue Book. The estimate comprises receipts from eight sources, viz., (1) entertainment tax, (2) betting tax, (3) fees under the Indian Electricity Duty Rules, 1922 and fees for electrical inspection of cinemas, (4) receipts under the Bengal Electricity Duty Act, 1935, (5) receipts under the Bengal Finance Act, 1939, (6) receipts under the Bengal Finance Sales Tax Act, 1941, (7) receipts under the Motor Spirits Sales Taxation Act, 1941 and (8) receipts under the Bengal Raw Jute Taxation Act, 1941.

So far as item No. 1 is concerned, the receipts in 1942-43 from the Entertainment Tax are estimated at Rs. 8 lakhs. The receipts in 1942-43 from the Betting Tax are estimated at Rs. 11,50,000. The fees under the Electricity Duty Rules and fees for electrical inspection of cinemas come up to a small amount in comparison to the total receipts of Rs. 40,000. The receipts in 1942-43 under the Bengal Electricity Duty Act is estimated at Rs. 21,00,000. The receipts under the Bengal Finance Act, 1939, in 1942-43 are estimated at Rs. 11,50,000. As regards the receipts under the Bengal Finance Sales Tax Act, 1941, the budget has accepted a consolidated figure of Rs. 25 lakhs. As regards the receipts under the Motor Spirits Sales Taxation Act, 1941, the receipts have been estimated at Rs. 2 lakhs under the existing provincial quota of certain gallons of petrol per annum The receipts under the Bengal Raw Jute Taxation Act, 1941, come up to Rs. 8 lakhs.

Then, Sir, we come to collection charges of entertainment and betting taxes. I need not give details about the collection charges, but they come up to roughly half per cent. of the total collection. As regards the collection charges under the Bengal Finance Sales Tax Act, 1941, they are rather high It is because the Act has come into operation quite recently If this Act is permitted to be in the Statute Book in years to come, then obviously the collection charges will come down. Then, Sir, with reference to the Electricity Act, we have considered certain questions of office establishment In any event, the collection charges on account of the tax under the Bengal Finance Act come up to 5 per cent of the estimated revenue.

Sir, this is the position with reference to this particular Grant. In moving the recommendation of the Governor, I do not, as a rule, wish to give an exposition of the facts, but these are questions relating to taxation and, therefore, Sir, I have given a rough idea of the receipts and expenses in connection with these taxes.

**Mr. DHIRENDRA NATH DATTA:** Sir, I beg to move that the demand for Rs. 5,03,500 for expenditure under the head "13—Other Taxes and Duties" be reduced by Rs 100. The object of the motion is to raise a discussion about the policy in utilising the sum raised from Bengal Finance Sales Tax, 1941.

Mr. Deputy Speaker, Sir, if we look to page 23 of the Red Book we find the receipts on account of tax under Bengal Finance Sales Tax Act for the year under review would amount to Rs. 1 crore. The Hon'ble Finance Minister in moving this Bill for reference to the Select Committee at page 114 of the Book has said "I can assure the House, however, that I will resist such an attempt with all my power, I will rather keep the money in the coffers of Government, I will rather build up a reserve than dissipate it on schemes which are not urgent

and which should give way to the schemes for which there is a crying need". Again while moving the motion for taking the Bill into consideration he has said, "I can assure the House, as I have assured before, at the time of referring this Bill to the Select Committee, that the purpose of this taxation is to provide further funds for nation-building departments and further amenities to the masses of this province and I will consider those honourable members who oppose this small taxation not as friends of the people but as definite enemies of the people". These are the assurances which were given by the Hon'ble the Finance Minister while moving the Bill for reference to the Select Committee and for taking it into consideration as well. Mr. Deputy Speaker, Sir, this Bill was opposed by those persons who are now in the Progressive Coalition Party. My esteemed friend Mr. Sasanka Sekhar Sanyal while opposing the Bill said that the money was sought not for nation-building departments but by nation-bleeding process. This we find from the report at page 136 of the Bengal Legislative Assembly proceedings. I hope the honourable member still sticks to that view. Mr. Sasanka Sekhar Sanyal also said (page 150) "I warn the members of the Coalition Party in particular that if this tax is pursued, the red lamp will be lighted all over Bengal and the Ministers will suffer the consequences thereof". That is what my esteemed friend, Mr. Sasanka Sekhar Sanyal said at the time when the Bill was taken into consideration. I do not know whether he still sticks to the view that the money is sought by "nation-bleeding processes" and that the red lamp will be lighted, if it has not already been lit, all over Bengal and the Ministers will suffer the consequences thereof. I am quite sure that I can add many such sentences said by all members of the so-called Bengal Congress Parliamentary Party but I do not intend to do so, because I do not want to add to their shame. Mr. Deputy Speaker, I made a mistake there I cannot add anything to their shame because they are really lost to all sense of shame. This one crore of rupees will be raised from this tax. A definite assurance was given by the Hon'ble Minister at that time that the amount would be spent on nation-building departments. Not only that but if a scheme is not available the money will be kept in the coffers of the Government and will not be spent for any other purpose. Now the whole amount is going to be spent not on nation-building departments but for the purpose of carrying on the ordinary administration, forgetting the assurance that was given. I hope my honourable friends will bring pressure to bear on the Hon'ble Ministers that in view of the assurance given at least a portion of that amount be reserved for nation-building departments. A crore of rupees will be raised from the Bengal Finance Sales Tax Act and Rs. 27 lakhs from the Bengal Raw Jute Taxation Act. It is to be hoped that the supporters of the present Ministry will impress upon the Government that a portion of this sum—say one-fourth—should be set apart for

the propagation of primary education in the province in Bengal. If they have got any sense of duty towards the people of Bengal they must put pressure upon the Ministry to set apart this amount. I do not say that the whole amount should be spent on nation-building departments. I know the whole amount cannot be spent. All I ask for is that one-fourth of the amount be reserved for the propagation of primary education. If they can do this they can justify their presence here. I hope that they will do it, but I am afraid I am hoping in vain.

With these few words I commend my motion to the acceptance of the House.

**Dr. NALINAKSHA SANYAL:** I beg to move that the demand of Rs. 5,03,500 under the head "13 Other Taxes and Duties" be reduced by Rs. 100. The object of the motion is to raise a discussion about the selection of Commercial Tax Officers and the Administration of the Bengal Finance (Sales Tax) Act, 1941, the refusal to exempt monthly journals and other periodicals from the operation of the Sales Tax, and the failure to meet public grievances regarding the present schedule of exemptions from the Sales Tax.

I hardly need any speech to draw attention to the various parts of my motion. I know that the present Finance Minister who had carried on a ceaseless agitation against the Sales Tax would be more competent to deal with these specific questions than I can do. I place my motion before him for his consideration, and I hope he will explain the various difficulties that may be in his way, now that he has access to the official files. In the matter of the selection of Commercial Tax Officers in reply to a question put in this House it was shown that considerations other than pure merit had come into play. There have been some officers appointed with very poor qualifications. It is very necessary that such officers who are empowered to look into the accounts of the commercial offices and firms should have some necessary accounting qualifications and it is also very necessary that they should be persons of very good dependability and morals. Unfortunately the minimum conditions that were laid down have been allowed to be waived in the case of certain candidates and we feel that Government should see that in the selection of these officers considerations other than merit should not come into play.

With regard to the exemption of monthly journals representations have been made by the Indian Journalists' Association, by the learned editor of the *Modern Review* and other journalists that there has been some mistake somewhere in refusing exemption to monthly journals which come under the definition of newspaper under various other Indian and Provincial enactments. In the Registration of Press and Books Act, 1867, newspaper means any printed periodical containing

public news or comments on public news. In the *Post and Telegraphs Guide* which is a Government of India publication, section 24 gives the definition as follows: By the Post Office Act all newspapers which may be registered and posted for transmission as registered newspapers, that is, every publication consisting wholly or in great part of political or other news or of articles relating thereto or other current topics with or without advertisements shall be deemed as newspapers subject to the following conditions:—

(*i*) that it is published in numbers at intervals of not more than 31 days, and

(*ii*) that it has a list of *bona fide* subscribers.

I understand that this matter has engaged Government attention and that they are probably going shortly to revise the decision of the Department in regard to the exemption or the desirability of exemption of such journals. Therefore, I do not propose to pursue the matter further.

With regard to the third item, viz., the public grievances regarding the present schedule of exemptions from the Sales Tax, I am one of those who felt very reticent about joining any big public demonstration against the Sales Tax as such I knew and I have always felt that this is one of the measures of taxation which the Province cannot avoid if the exigencies of finances so require and as a student of Economics I have always felt that it is one of the measures of taxation —I find the Hon'ble Minister is smiling: perhaps he is remembering the old days of agitation——

**The Hon'ble Dr. SYAMAPRASAD MOOKERJEE:** You attended the Sradhanand Park meeting and not I.

**Dr. NALINAKSHA SANYAL:** But I never spoke. You sent a message to the meeting.

**The Hon'ble Dr. SYAMAPRASAD MOOKERJEE:** I did not send any message.

**Dr. NALINAKSHA SANYAL:** I have never said anything beyond what I said on the floor of the House. In the course of my speech I laid bare the scientific side of it. I submit that even assuming that a provincial sales tax is necessary for financial reasons the present method of administration thereof can be to a large extent modified to remove the rigours and hardships that the present Act is entailing on the people and in order to remove such hardships, a revision of the present schedule of exemptions has to be undertaken. It has been pointed out that although food articles generally consumed

by the average mass of poor people are supposed to be exempted, there are certain items of food which under the present schedule cannot be exempted like *ghee* and sweets which are also very widely used by the poorer sections. I believe that there is room for an examination of such points, and Government would do well to examine these points with a view to provide relief at least to the humbler section of the people. At the same time in the exemptions there may appear some items which the Government would do well to revise with a view to find out if such exemptions are helping people who do not fall within the category of the mass of the poorer section. If that is discovered I would submit that a case could be made out for including such items within the purview of the Sales Tax, and here I talk particularly of confectionaries which can certainly be included within the purview of the Sales Tax. I do not want to take much time of the House but I hope that Government would take a dispassionate and scientific view of things and consult economists and commercial men to ascertain which particular items should be exempted and which particular items may be kept on in order to help the finances of the province.

Sir, before I resume my seat I would once more emphasize the fact that there are a great many defects in the actual method of collection. The manner in which the rules are administered by different authorities have got to be revised. I have found that in mofassil areas hardship is caused by local officials who do not understand the import of the rules. And some of them have been taking recourse to extortionate measures on the plea of certain powers supposed to be given to them which probably they are not empowered to exercise. Then in the name of administration of commercial sales tax, extraneous factors, like the payment to war funds and other contributions of commercial men, are also taken into account in determining the quantity of the tax payable by these men. There is also at the same time scope for wide publicity of the exact import of the tax. I am afraid many honourable members of this House and possibly many officials also entertain a very wrong idea of the nature of the tax. The tax is a single-point tax: it is not a turn-over tax: and yet unfortunately many people who carry on propaganda against this taxation start with no other comment than what can be passed on an assumption that it is a turn-over tax. In actual practice also the various dealers who do not know exactly the position make mistakes and they try to pile up the tax from one end to the other of the province and by this Pyramidal piling up the ultimate burden on the actual consumer is increased. If the dealers properly know the position they would refrain from doing this. I hope the Government will take early steps to see that the exact import of this measure of taxation would be made known widely and that in the administration of the tax better methods be applied and real relief given to the people where relief may be necessary.

With these words, Sir, I commend this motion of mine to the acceptance of the House.

(At this stage Mr. Deputy Speaker called on the Hon'ble Dr. Syamaprasad Mookerjee to speak when Khan Sahib Hamiduddin Ahmad initiated a discussion on the utterance of the Hon'ble Dr. Mookerjee to which objection was taken by the members of the Opposition a few days ago.)

**Khan Sahib HAMIDUDDIN AHMAD:** May we, Sir, expect to know what is your decision on the objectionable utterance of the Hon'ble the Finance Minister made the other day calling a leader of our party as the leader of goondas?

**Mr. DEPUTY SPEAKER:** I will give my decision on Monday next.

**Mr. K. SHAHABUDDIN:** With regard to this matter, Sir, I should like to make our position clear to you Speaking as the Whip of our party we have already made it clear to you, Sir, that until Dr. Mookerjee makes suitable amends our party will not allow him to speak in this House or, in case you decide that he should speak, we will retire from this Chamber, thereby registering our protest against his objectionable remark.

**Mr. DEPUTY SPEAKER:** In that circumstance of the case I will give my ruling to-day, if I can But you know very well that for the last few days I have tried my level best to obtain the co-operation of the leaders of all parties in this House as well as that of the members of the Privilege Committee I have discussed the matter in detail with the leaders of the different groups and with the members of the Privilege Committee. I am sorry to tell you that I shall have to take decisions not only with regard to the particular expression used by Dr. Mookerjee but also with regard to many other objectionable remarks made by other members in this House in the course of the last few days, and I have it in mind to give a general direction to the honourable members which will cover all these cases. I hope the Leader of the Opposition, Sir Nazimuddin, will bear me out that during the last few days I have been systematically trying to bring this matter to his notice. In view of what I have stated just now I hope Dr. Mookerjee will be allowed to proceed to give a reply on behalf of Government.

**Khwaja Sir NAZIMUDDIN:** As you have mentioned my name and referred to me I am compelled to say that our party has taken very serious exception to the remark made by the Hon'ble the Finance Minister. We recognise, Sir, that you have been making an attempt

to find out a solution of this matter. And in this connection I may make some suggestion which may help you to solve the difficulty. I was hoping that it would be possible to solve the question amicably and to bring back a good atmosphere in this House. I still hope that the Finance Minister will do the right thing and make a statement which will remove from the minds of the members of our party the idea that he has given offence to them. As regards the other points which you have mentioned, those are matters for which we will wait for your ruling which you may give on Monday next. In view of the fact that the Hon'ble the Finance Minister is going to make a speech to-day, I would request you to ask him and I would request him personally to make a statement which will satisfy the members of my party.

**Mr. DEPUTY SPEAKER:** In that case all that I can say with regard to the expression "the leader of goondas" is that Dr. Mookerjee the other day made it clear in the House that he did not mean any particular member of your party and I am sorry to tell you, Sir Nazimuddin, that even I was not given a hearing on that particular day. I have been trying to find out any previous rulings on analogous matters. If a member denies that he did not use a particular expression or that he did not mean any particular member of that description although he may be closely identified, the only course that is open to the Chair in that case is to accept his statement. I may also ask Dr. Mookerjee to state what actually he meant and whom, when he uttered that expression, and all that I wish to say is that even if I am given to understand that a particular member did not use that expression to identify another particular member, certainly I would hold that such expressions are offensive, improper and unparliamentary, but if a member denies that he did not identify any particular member, I am helpless. If Dr. Mookerjee so desires I would request him to say what he meant by the expression used by him.

**Khwaja Sir NAZIMUDDIN:** Sir, before you ask Dr. Mookerjee, may I just explain the position of the members on this side of the House? We submit to your ruling that as far as protests from any individual member are concerned if the gentleman who has made the offensive remark says that he did not refer to any particular member, that member should be satisfied with that expression. I am prepared to accept that. But our party has taken up the attitude that it refers to members on this side of the House. So it is absolutely a different thing and we maintain, Sir, that an expression of that kind should not be referred to any member of this House.

**Mr. DEPUTY SPEAKER:** I would like to hear Dr. Mookerjee if he has anything to say.

**The Hon'ble Dr. SYAMAPRASAD MOOKERJEE:** As you have just now said, Sir, on that day I made it absolutely clear—at any rate I attempted to but I was not allowed to complete my remarks because there was so much shouting from the Opposition benches—that I was not referring to any particular member, and I repeat it here and now that I was not thinking of any particular member of this House. What I really meant was this: that so long as constitutional opposition went on, Government had no intention and Government must not interfere with that constitutional opposition but if things developed in the province in such a way through the efforts of a member of this House or any one outside that elements which are anti-social in character were encouraged, then Government must put its foot down on such movements, irrespective of the quarter they emanate from. I made that absolutely clear, Sir, but apparently there has been some misunderstanding. I repeat what I said on that occasion for your acceptance and for the acceptance of the Leader of the Opposition.

**Mr. DEPUTY SPEAKER:** I hope Sir Nazimuddin will accept this.

**Khwaja Sir NAZIMUDDIN:** Yes, Sir, we do.

**The Hon'ble Dr. SYAMAPRASAD MOOKERJEE:** Sir, with regard to the different amendments which have been moved the first point which has been taken up is this—whether the sales tax should have been passed into law at all. Now, Sir, that is a question which it is difficult for me to answer. Any measure of taxation is unwelcome by the public and no Government would feel proud to pursue a policy which would require imposition of additional taxation on the people at large. With regard to the remark which has been made that the late Finance Minister—who I find is not present in the House to-day—had given a solemn assurance to the House that the proceeds of this taxation would be utilised for nation-building departments, I would like to make the position quite clear. In fact, Sir, in connection with a previous debate I pointed out that although the late Finance Minister made that declaration it was nothing but a hoax. At that time he knew it fully well that there was a huge deficit which the Government had to meet. At that time he knew fully well that it would not be possible for the Government to run the administration without tapping fresh sources of revenue, and in fact, Sir, long before the present Ministry came into office, about five months before we took over charge, the past Government had decided that the anticipated deficit being what it was, it was not possible for Government to undertake any new item of expenditure in the coming year and instructions to that effect were clearly given to all the departments of the Government. It is not, therefore, possible for me to answer the

accusation which has been brought as to why Mr. Suhrawardy's assurance has not been carried into effect. That is a fact but that is a state of affairs for which the present Ministry is not responsible. Nor was it possible even for the past Government, even if it wished to, I must say in fairness, to spend anything for any nation-building department if it wanted to meet the ordinary requirements of the province. Along with that, Sir, the position was rendered more difficult in view of the extraordinary expenditure which the province was called upon to bear in respect of civil defence. Taking all items together it was not possible and it is not possible now to divert a portion of revenue derived from a particular tax for additional expenditure on nation-building departments.

Sir, with regard to the merits of this tax, I find Madras was the first province under the leadership of Mr. Rajagopalachariar, the Congress Premier, to have passed a Sales Tax Act in Madras, and the Punjab has followed the Madras Act. But there are important differences between the Act that is now in force in this province and the Act that was passed in Madras and followed by the Punjab resulting in such a tremendous opposition something of which we had read in the papers a few weeks ago. In Bengal, Sir, as Dr. Sanyal has pointed out, ours is a single-point tax; in other words, one has to pay only once. A particular article passes through different stages and the taxation comes only at one stage. With regard to Madras or the Punjab it imposes a general turn-over tax What Bengal has done? It has exempted the primary necessaries of life. The list is to be found in the schedule; whether that list is entirely exhaustive or not is a matter of opinion, but looking at the list as it is you find included therein most of the essential things with which the mass is expected to carry on its day-to-day living (Dr. NALINAKSHA SANYAL: What about cloth?) Well, mill cloth is not but handloom is. (Dr. NALINAKSHA SANYAL: Masses use mill cloth.) I say most of them; if there are any particular items regarding which exemption should be asked for, the Government may consider if specific proposals are made subject of course to this that we shall have to take into account their possible repercussion on the provincial revenues as a whole. But take the Madras or the Punjab Act. There is no exemption even with regard to the primary necessaries of life. Even salt is not exempted there. Then, Sir, we have exempted machineries, raw materials, containers, etc., that is, anything that is required in the process of distribution or production. There is no such exemption with regard to the other Acts. (Mr. AHMED HOSAIN: You are supporting the previous Minister.) After all we give the person his due. That we are prepared to do when occasion arises which the Opposition is not prepared to do so far as we are concerned.

We have exempted exports. Exemption has not been granted in the Madras or the Punjab Act.

Now, Sir, the question was specifically raised as regards monthly periodicals. The general exemption granted under the Act is that newspapers will be exempted and a long drawn controversy arose as to whether a monthly periodical is a newspaper or not. I gave the matter my best consideration and I recently passed orders that taking all things into consideration, particularly the definition of newspapers as given in the Indian statutes, monthly periodical should be exempted. Notification to this effect is going to be issued in a day or two.

The next point which was raised was with regard to appointment of officers in the department. Dr. Sanyal had put some questions which I had answered a few weeks ago. The appointments were made mostly on the recommendation of the Public Service Commission. I admit, Sir, that when the first attempt was made to fill up these posts the requisite number of qualified Muslims and Scheduled Castes was not available and Government had given instruction for the recruitment of the minimum quota of Muslims and Scheduled Castes in accordance with a slightly different plan. But barring two cases which did not pass through the Public Service Commission all the other cases have passed at some stage or other through the Public Service Commission. Two persons were selected for training without any reference to the Public Service Commission by my predecessor. (Dr. Nalinaksha Sanyal: Who were the lucky people?) I am not going to mention the names. But when the matter came before the present Ministry and we had before us the objection raised by the Public Service Commission we accepted the recommendation of the Public Service Commission. With regard to the other people appointed, although the qualifications were slightly altered I am not prepared to say that they were altered in a manner which would, in any way, be prejudicial to the operation of the Act; the original qualifications were slightly modified in order to enable other Muslims and Scheduled Castes to apply, but that chapter is now closed. All the appointments which should have been made, have been made barring one and we are now hoping that we have got the minimum staff required for giving full effect to the Act.

Then, Sir, the last point raised is with regard to the method of collection. I agree, Sir, that there is a good deal of misapprehension in the mind of the public as regards the exact scope of this Act. A communiqué was issued some time ago explaining what exactly was intended. As I have said, we deal with registered dealers only. The registered dealers are those who deal with Rs. 50,000 annually for ordinary dealers and Rs. 10,000 for manufacturers, and those registered dealers in their turn may sell their goods or articles to unregistered dealers or to the consumers. We levy the tax on the registered dealers. They in their turn pass this over, as I have said, either to the unregistered dealers or to the consumers. The unregistered dealers in their turn may pass this over to the consumers directly. Government

has no means of controlling the manner in which the unregistered dealers or the registered dealers recoup themselves for the amount of tax which the registered dealers have to pay. There we have to leave it to the ordinary economic forces. If an ordinary shop-keeper levies more in order to have an excess profit, much more than what he has to pay to the registered dealer or to the unregistered dealer as the case may be, then obviously the consumer will not go to him but will go to some other shop. It will take some time before these are adjusted. I admit, Sir, that there was a lot of hardship and complaint in the beginning. People did not exactly know the amount which was being realised from them in the garb of this sales tax levy. But now things have settled down and it is our hope that as time proceeds we will get ourselves accustomed to this manner of realisation. It is more or less like our petrol. When we purchase petrol it is noted down that extra so much is charged for the extra duty and we know exactly what we are in for. Government has not issued any instructions but personally I favour the method which has been pursued by many dealers in putting down specifically the additional amount charged on account of the sales tax. (Dr. NALINAKSHA SANYAL: No, no. That is not so.) Many of them do it, and that gives the customer an opportunity to know at once that so much is the ordinary price and a few annas are being added on account of the tax. As I have said, Government has not given any instruction, and it is not possible for Government to issue any instruction but it must leave the matter to be adjusted in accordance with ordinary economic forces.

If there are any other complaints or if there are any constructive suggestions in order to facilitate the operation of this Act, I shall be glad to receive them in writing and give them my best consideration.

**Khan Bahadur MOHAMMED ALI:** Sir, I would request the Hon'ble Minister to clarify one issue. There is some amount of confusion in the mind of the public regarding levy of the sales tax. We find that some shop-keepers levy this tax on services rendered, that is to say, they charge sales tax for making up dress articles—suits and other articles. I have had personal experience of that. When I asked a shop-keeper why this was done as it was not a case of sale of goods, he said that the instruction of Government was that the tax should be paid on the general turn-over and since they have to pay on the general turn-over that is why they have got to charge the consumer for it. I would like to have a clarification of this point as to whether shop-keepers are entitled to charge on services rendered and, if not, I would request Government to clarify this point and issue instruction to the shop-keepers and see that it is not done.

Then there is another thing which I want to put to the Hon'ble Minister as he asked for constructive suggestions. If sales tax is

realised by shop-keepers when they are not entitled to do it, there should be some penalty imposed or some warning should be given; otherwise this situation is being exploited and the ignorant public is being made to pay sales tax for such goods which are not chargeable.

**The Hon'ble Dr. SYAMAPRASAD MOOKERJEE:** As I have said before, Government has not issued any instruction in this matter. They have to rely on the ordinary economic forces, and the only advice which I can personally give to my honourable friend is to change his tailor and go to some other tailor. (Laughter.)

The motion of Mr. Dhirendra Nath Datta that the demand of Rs. 5,03,500 for expenditure under the head "13—Other Taxes and Duties" be reduced by Rs. 100, was then put and lost.

The motion of Dr. Nalinaksha Sanyal that the demand of Rs. 5,03,500 for expenditure under the head "13—Other Taxes and Duties" be reduced by Rs. 100, was then put and lost.

The motion of the Hon'ble Mr. Pramatha Nath Banerjee that a sum of Rs. 5,03,500 be granted for expenditure under the head "13—Other Taxes and Duties", was then put and agreed to.

**Mr. DEPUTY SPEAKER:** Although I have not got any official communication from Government, I am in a position to announce that there will be a meeting of the Assembly on Monday afternoon at 3-30 p.m. for transacting non-official business. I understand that Government have fixed that day in consultation with the party leaders

## Adjournment.

The House was then adjourned at 11-10 a.m. till 8-30 a.m. on Monday, the 23rd March, 1942, at the Assembly House, Calcutta.

# Proceedings of the Bengal Legislative Assembly assembled under the Provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Monday, the 23rd March, 1942, at 8-30 a.m.

**Present:**

Mr. Deputy Speaker (Mr. SYED JALALUDDIN HASHEMY) in the Chair, 8 Hon'ble Ministers and 212 members.

## STARRED QUESTIONS

**(to which oral answers were given)**

### Reduction of rent in Calcutta during war time.

***186. Mr. ATUL KRISHNA GHOSE:** Will the Hon'ble Minister in charge of the Judicial Department be pleased to state whether the Government contemplate taking any steps for reduction of rent of the Calcutta premises till the termination of the present war?

**MINISTER in charge of the JUDICIAL and LEGISLATIVE and REVENUE DEPARTMENTS (the Hon'ble Mr. Pramatha Nath Bannerjee):** The enforcement in Calcutta of the Bengal House Rent Control Order, 1942 (which applies to residential accommodation), will be considered if and when local conditions require it.

**Dr. SURESH CHANDRA BANERJEE:** Will the Hon'ble Minister be pleased to explain what does he mean by local conditions?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** Local conditions are capable of indefinite explanation. Local conditions mean particular circumstances including the difficulties which the questioner had in view?

**Dr. SURESH CHANDRA BANERJEE:** Does the Hon'ble Minister think that these have already arisen in the city of Calcutta?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** That is a matter of opinion.

**Dr. SURESH CHANDRA BANERJEE:** We want to know what the Hon'ble Minister means by local conditions but he has not given us a definite answer.

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** So far as my information goes rents in Calcutta are in process of reduction with the exodus from Calcutta.

**Dr. SURESH CHANDRA BANERJEE:** Does not the Hon'ble Minister know that only poor proprietors have made a reduction and the rich proprietors have not made any reduction yet?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** I have made no distinction between poor proprietors and rich proprietors but if conditions arise I shall look into the question.

**Renewal of Gun licences in Kurigram, Rangpur.**

***187. Mr. JATINDRA NATH CHAKRABARTY:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether it is a fact that the gun licensees of the Kurigram subdivision in the district of Rangpur have to pay an extra amount for the renewal of their gun licences?

(*b*) Will the Hon'ble Minister be pleased to state—

(*i*) the number of guns that have not yet been returned after the renewal of licence; and

(*ii*) the reason for which they have not been returned as yet?

(*c*) Is not this a sort of forced contribution against the declared policy of the Government.?

(*d*) Will the Hon'ble Minister be pleased to state what action he proposes to take in the matter?

**MINISTER in charge of the HOME DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq):** (*a*) No.

(*b*) (*i*) Nil.

(*ii*) Does not arise.

(*c*) and (*d*) Do not arise.

**Leave of the security prisoner Babu Ananta Kumar Dey.**

***188. Mr. DHIRENDRA NATH DUTTA:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state whether

it is a fact that Babu Ananta Kumar Dey, a security prisoner in the Hijli Special Jail, applied for two months' leave in order to enable him to realise dues to the Lakshmi Narayan Cotton Mills, Limited, from the dealers in cloth for which he held himself responsible as an agent of the said Mills?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether the leave applied for has been granted? If not, why not?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** (*a*) Yes.

(*b*) No leave was considered necessary as under Bengal Security Prisoners Rule 55 the security prisoner could execute and register powers of attorney inside the jail for the proper management of his business and property.

**Mr. DHIRENDRA NATH DATTA:** The prisoner in question wanted leave to realise the dues to the Lakshmi Narayan Cotton Mills for cloths supplied to dealers on his own responsibility as agent to the Lakshmi Narayan Cotton Mills. Is it not a fact that by the execution of powers of attorney things wanted by him cannot be done?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I am not aware of the fact, but I will look into the matter and, if necessary, reconsider the position.

**Mr. DHIRENDRA NATH DATTA:** Is it not a fact that the prisoner wrote to the Hon'ble Minister on the 16th of February and sought an interview in order to explain the matter to him and that he has not got any reply, even an acknowledgment of the letter from the Hon'ble Minister?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I do not remember whether I ever received any letter from him, but I shall look into the matter.

**Mr. DHIRENDRA NATH DATTA:** Will the Hon'ble Minister be pleased to grant me an interview so that I can explain the whole matter to him?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I am prepared to do that,

## UNSTARRED QUESTIONS

**(answers to which were laid on the table)**

### Number of gazetted posts in the Public Health Department.

**82. Mr. M. A. H. ISPAHANI:** Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state—

(*a*) the number of gazetted posts in the Public Health Department both permanent and temporary;

(*b*) the number of posts held by Muslims, Hindus and others, each may be shown separately;

(*c*) whether any of the gazetted posts in the Public Health Department are reserved for the Muslim community;

(*d*) if so, the names of the posts so reserved; and

(*e*) what steps have been taken for filling up these posts?

**MINISTER in charge of the PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Santosh Kumar Basu):** A statement furnishing the necessary information is laid on the Library Table.

**Maulvi ABDUL LATIF BISWAS:** With reference to the statement laid on the Library Table, it appears that the post of Superintendent of Vaccine Institute is reserved for Muslims, but a reference has been made to the Public Service Commission for the selection of a candidate. It is said that it is proposed to reconsider the matter. Will the Hon'ble Minister be pleased to state whether he means by this statement that the Government is considering the desirability of doing away with the reservation in favour of the Muslim candidate?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** That is one of the considerations which will be taken into account.

**Mr. SYED ABDUL MAJID:** Will the Hon'ble Minister in charge be pleased to state whether it is a fact that out of the total number of permanent gazetted posts, i.e., 19, 12 are held by Hindus and 4 by Muhammadans and that of these four, one is the Personal Assistant to the Director of Public Health who is a B. C. S. man?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** I am not sure whether he is a member of the Bengal Civil Service, but if my friend says so, I accept that.

**Khan Bahadur MOHAMMED ALI:** Will the Hon'ble Minister be pleased to state whether the posts of Superintendent, Vaccine Institute, and Superintendent, Vaccine Laboratory, though reserved for Muslims are being held by Hindus? Will the Hon'ble Minister be pleased to state if suitable Muslims could not be appointed during the temporary period?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** If my honourable friend will insist upon an answer, I shall have to give it but I would rather not give that answer in the interests of the particular candidates themselves.

**Mr. SYED ABDUL MAJID:** Will the Hon'ble Minister be pleased to state how long these two appointments which were reserved for Muhammadans have been held by the Hindus?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** The position is this. These two appointments were not reserved for Muhammadans when they were held by Hindus. These two posts are held by Hindus in an officiating capacity and when they were sought to be permanently filled up, the question arose as to whether they should be reserved for Muslims or not and the decision was taken that they should be so reserved. But after the matter was referred to the Public Service Commission certain observations were made by the Public Service Commission which necessitated a reconsideration of the matter in order to give other suitable Muslim candidates as well as candidates of other communities and also those who are in permanent service but who were debarred from applying in the first instance a chance to apply so that these two key positions might be filled up by the best available candidates.

**Mr. MIRZA ABDUL HAFIZ:** In view of the fact that the post of Malaria Engineer was reserved for the Muslims, will the Hon'ble Minister be pleased to state whether that reservation has been withdrawn on the ground that no suitable Muslim candidates were available?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** I could not quite follow the question. Will the honourable member kindly repeat his question?

**Mr. MIRZA ABDUL HAFIZ:** Is the Hon'ble Minister aware that there is a sufficient number of suitable Muslim candidates for the post of the Malaria Engineer, the reservation of which for the Muslim community has been withdrawn?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** That is a matter which is left to the decision of the Public Service Commission and not to the Government.

**Maulvi ABDUL LATIF BISWAS:** Are we to understand from the answer of the Hon'ble Minister just now given that these two posts—the posts of the Superintendent, Vaccine Institute, and the Superintendent, Vaccine Laboratory—are practically going to be thrown open to candidates of all communities?

**The Hon'ble Mr. SANTOSH KUMAR BASU:** That is so, and it has been decided that if two non-Muslims are appointed to these posts on the recommendation of the Public Service Commission two other posts of a suitable nature in the department should be reserved for Muslims.

**Political prisoner Babu Purnananda Das Gupta.**

**83. Mr. JNANENDRA CHANDRA MAJUMDAR:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state—

(*i*) whether Babu Purnananda Das Gupta, a political prisoner in the New Central Jail at Alipore, has been suffering for a long time from suspected tuberculosis and other ailments;

(*ii*) whether some time before he was sent to the Medical College Hospitals for treatment; and

(*iii*) whether he was brought back to the jail before the course of treatment could be finished?

(*b*) If the answer to (*a*) (*iii*) is in the affirmative, will the Hon'ble Minister be pleased to state the reason thereof?

(*c*) Has the Hon'ble Minister received any petition from him praying for his transfer to the Dacca Central Jail?

(*d*) If so, what action he proposes to take in the matter?

(*e*) Will the Hon'ble Minister be pleased to state—

(*i*) the nature of the illness the said prisoner is suffering from and the present state of his health;

(*ii*) the nature of the medical treatment he is receiving at present; and

(*iii*) whether he is being treated by a specialist; if so, by whom?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** (*a*) (*i*) The prisoner has been suffering from pain in chest and indigestion for some time.

(*ii*) Yes, on the 10th February, 1940.

(*iii*) No.

(*b*) Does not arise.

(*c*) and (*d*) He has already been transferred to Dacca Central Jail.

(*e*) (*i*) Occasional indigestion. His health is improved now.

(*ii*) Dietic treatment and medicine to help digestion and to improve his general health.

(*iii*) No.

**Dr. SURESH CHANDRA BANERJEE:** Will the Hon'ble Minister be pleased to explain whether pain in the chest is a symptom and not an independent disease and may be the symptom of tuberculosis of the lungs?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** How can I say that?

**Dr. SURESH CHANDRA BANERJEE:** Will the Hon'ble Minister be pleased to let us know what disease was written on his medical ticket when he was sent to the Medical College Hospital for treatment?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, on questions of technical knowledge it is not possible for me to give any opinion, but I will give certain facts The prisoner was transferred to the Medical College Hospital twice during the last three years. During his first transfer he was to be operated upon and as the suspension of sentence for 15 days was found insufficient the period was actually extended to another one month. But the prisoner was not subsequently operated upon and was received back in the jail on the report of the Surgeon of the Medical College. The suggestion of the prisoner to the effect that he was removed back to jail from the hospital on the pretext of some building operations was not therefore true. That is all the information I have got.

**Mr. ATUL CHANDRA SEN:** Will the Hon'ble Minister be pleased to consider the desirability of getting Mr. Das Gupta examined by a tuberculosis expert?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I may take it as a notice and I am prepared to enquire into the case.

**Reviewing the cases of security prisoners.**

**84. Mr. PRATUL CHANDRA GANGULI:** (*a*) Will the Hon'ble Minister in charge of the Home Department be pleased to state, with reference to the replies given to starred qustion No. 117 on the 8th September, 1941, whether he has reviewed the cases of the security prisoners as promised by the then Home Minister?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state the result thereof?

(*c*) Is it a fact that these prisoners have been in jail for the last ten years?

(*d*) Will the Hon'ble Minister be pleased to state the names of these prisoners?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** (*a*) No review has yet been done, but I hope to be able to make an announcement on the subject shortly.

(*b*) Does not arise.

(*c*) No.

(*d*) 1. Paresh Guha.

2. Jatindra Chakrabartti.

3. Provat Mitra.

4. Jiban Dhupi.

5. Bimal Bhattacharji.

6. Niranjan Ghoshal.

7. Jyotish Mazumdar.

8. Surendra Dhar Chaudhuri.

9. Satyendra Mazumdar.

**Dr. SURESH CHANDRA BANERJEE:** With reference to his answer to (*c*), will the Hon'ble Minister be pleased to state for how long has each of these prisoners been now in jail?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I am reading out a statement for the information of the honourable member:—

Paresh Chandra Guha—

Date of conviction—1st May, 1935.

Date of release and re-arrest as a security prisoner—1st April, 1941.

Jatin Chakravarty—

Date of conviction—1st May, 1935.

Date of re-arrest—24th May, 1941.

Provash Mitra—

Date of conviction—1st May, 1935.

Date of re-arrest—8th July, 1941.

Jiban Dhupi—

Date of conviction under the Bengal Suppression of Terrorist Outrages Act for two years—14th February, 1935, and the date of conviction in the inter-provincial conspiracy case—27th April, 1937.

Date of re-arrest—16th August, 1941.

Bimal Bhattacharya—

Once convicted in 1933 and again in 1935.

Date of re-arrest—1st September, 1941.

Niranjan Ghoshal—

Date of conviction—1st May, 1935

Date of re-arrest—15th October, 1941.

Jatish Mazumdar—

Two convictions in 1935.

Date of re-arrest—13th February, 1942.

Surendra Dhar Chaudhuri—

Dates of conviction—28th February, 1935 and 1st May, 1935.

Date of re-arrest—26th January, 1942.

Satyen Mazumdar—

Date of conviction—1st May, 1935.

Date of re-arrest—7th June, 1941.

**Mr. SIBNATH BANERJEE:** Will the Hon'ble Minister be pleased to state whether he will be able to give us an approximate idea as to when that announcement is going to be made? Here it is stated, shortly; and I want to know whether it will be made during this session or later.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I may mention that we have decided to set up a Tribunal and the personnel of the Tribunal will be announced this afternoon.

**Floods in certain parts of Tippera due to breaches in the Gumti Embankment.**

**85. Maulvi MAFIZUDDIN AHMED:** (*a*) Is the Hon'ble Minister in charge of the Revenue Department aware—

(*i*) that the people of Burichang, Debidwar and Muradnagar police-stations, Tippera, are in distress owing to the floods caused by the Gumti embankment breaches; and

(*ii*) that there is a crying need for agricultural loans in those places?

(*b*) If the answer to (*a*) (*ii*) is in the affirmative, will the Hon'ble Minister be pleased to state what actions he proposes to take in the matter?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** (*a*) (*i*) Yes, with the exception of Muradnagar police-station which was not affected by the Gumti embankment breaches.

There is no longer any distress in the Burichang and Debidwar police-stations.

The following relief measures were taken in the affected areas:—

| | | | Rs. |
|---|---|---|---|
| Agricultural loan | .. | . | 1,15,223 |
| Gratuitous relief | .. | .. | 9,271 |
| Paddy-husking scheme | .. | . | 10,285 |
| Test works | ... | ... | 1,712 |

(*ii*) No.

(*b*) Does not arise.

**Maulvi MAFIZUDDIN AHMED:** With reference to answer (*a*) (*i*), will the Hon'ble Minister be pleased to state whether Muradnagar police-station was affected by floods or otherwise than by breaches in the river embankment?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** I have no information but if the honourable member so desires I can enquire into the matter.

**Maulvi MIRZA ABDUL HAFIZ:** Will the Hon'ble Minister be pleased to state what is the population of the Burichang and Debidwar police-stations that have been affected by floods for which Rs. 1,15,000 has been given as agricultural loan?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** That information I do not possess at present.

**Mr. DHIRENDRA NATH DATTA:** Will the Hon'ble Minister be pleased to state whether due to annual breaches in the river embankment loss and destruction of corps is an annual affair in those localities?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** I do not know but if the honourable member will kindly furnish me with facts certainly I will enquire into them.

**Maulvi MAFIZUDDIN AHMED:** With regard to the latter part of answer (*a*) (*i*), what is the proof that there is no longer any distress in the Burichang and Debidwar police-stations?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** My knowledge must necessarily have been based on a local official report.

**Maulvi MAFIZUDDIN AHMED:** Will the Hon'ble Minister be pleased to state whether he will be prepared to undertake an enquiry if there is any real distress now which will become all the more keen in a month or so?

**The Hon'ble Mr. PRAMATHA NATH BANERJEE:** If my honourable friend will supply me with all data certainly I will make a reference to the local officials.

### Petition about police high-handedness.

**Dr. NALINAKSHA SANYAL:** Mr. Deputy Speaker, Sir, I rise to hand over a petition to you on the subject under discussion to-day, which I have received only this morning. The petition is addressed to the Hon'ble Speaker through Dr. N. Sanyal, and under the Rules of Petition I have formally to present this. It refers to police high-handedness at Beniapukur on one Mr. Karuna Kumar Chatterjee, son of late Dr. P. Chatterjee, I.E.S., and brother of late Mr. Kalyan Kumar Chatterjee, I.C.S.

## DEMAND FOR GRANTS.

### 29—Police.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, on the recommendation of His Excellency the Governor I beg to move that a sum of Rs. 2,30,18,000 be granted for expenditure under the head "29—Police".

**Khan Bahadur MOHAMMED ALI:** Sir, I beg to move that the demand of Rs. 2,30,18,000 for expenditure under the head "29—Police" be reduced by Rs. 100. The object of the motion is to raise a discussion about the Indianisation of the posts of Sergeants of Calcutta Police.

I also beg to move that the demand be reduced by Rs. 100. The object of the motion is to raise a discussion about the lack of courtesy on the part of Sergeants of Police to the Indian public.

I also beg to move that the demand be reduced by Rs. 100. The object of the motion is to raise a discussion about the collection of funds for the poor box maintained by Calcutta Police.

I also beg to move that the demand be reduced by Rs. 100. The object of the motion is to raise a discussion about the racial discrimination in the matter of parking of motor cars in Calcutta.

Sir, I propose to deal with all my cut motions together. First of all I shall take up the question of the Indianisation of the posts of Sergeants of Calcutta Police.

It is indeed strange that when almost all the services under Government are being gradually Indianised and thrown open to the children of the soil the posts of Police Sergeants should continue to remain earmarked for Britishers and a limited number of Anglo-Indians Until recently even Anglo-Indians were debarred from entry into this service. But that bar has now been removed and a few Anglo-Indians have, of late, been taken in But it is unaccountable why prejudice against Indians should persist in this branch of Police Service when more responsible and higher posts in the Police Department are held creditably by Indians. Therefore, we fail to see any reason or justification for the deliberate exclusion of Indians and the reservation of this service as the special preserve of Europeans. Then, there is another aspect of this question to which I feel I must draw attention. The posts of Sergeants, though non-gazetted in status, carry emoluments and allowances far in excess of the pay and emoluments of most of the Provincial Services. This is an anomaly which can only be accounted for by the fact that there is distinct discrimination in the matter of pay and emoluments as between services open to Indians and that of Europeans. This is a legacy left to us by former Bureaucratic Governments which were entirely foreign in character. But it is sad to reflect that such discrimination should be allowed to exist in the Autonomous Government of today.

Then again, Sir, these Sergeants of Police are allowed privileges and amenities which are denied to Indians serving in the inspectorate branch of the Police Service. Take for example the question of the payment of overseas passage money to Sergeants. If the Government accepts the policy of payment of passage expenses, I fail to see why the

same policy should not be made applicable to Indian Police officers, and the benefit of payment of the cost of fares to their homes be allowed to them. Now let us take the case of constables. Most of them, unfortunately, hail from provinces outside Bengal. They draw, comparatively speaking, very poor salaries. When they go home on leave they have to spend practically one whole month's salary in railway fares. But since they are Indians there is no sympathy and consideration for them. Why should there be a different policy in the matter of payment of cost of travelling expenses for Indians? I plead for a uniformity in policy in this matter.

Sir, the existence of a colour bar in the matter of recruitment to these posts is a sad commentary on a Government which deigns to call itself "popular" and "autonomous". I hope sense, though belated, will yet dawn on the European element in the permanent executives of our Government so as not to put obstacles to the removal of this bar if they want to prove themselves true to the preachings of the ideals of their war aims.

Now, Sir, I come to another cut motion which deals with the behaviour of Sergeants of the Calcutta Police towards the Indian public. These minions of law and order who are paid out of public money and consequently are the servants of the public behave with Indians in a manner which is hardly consonant with that relationship. On the other hand they treat the Indians, specially the poorer section, with such lack of courtesy as to warrant their being termed as veritable despots. And what is worse still is that petty infringements of traffic and other rules by Indian motorists are at once noted down for prosecution whereas the same type of offences by Europeans are overlooked and ignored. That such glaring examples of racial discrimination should exist even today is a matter of serious and grave concern to us all. Law is supposed to be no respecter of persons. But this salutary and cardinal principle of law is entirely ignored by British Sergeants of Police for we find that acts which a Britisher can commit with impunity an Indian cannot without being dragged to the law courts.

Then, again, anyone who visits football matches in the maidan is aware of the shabby manner in which the Indian crowd is treated by mounted Sergeants of the Calcutta Police. Without compunction and without any hesitation whatsoever they frequently charge into crowds and belabour some persons. And when they have occasion to speak to the common people they use language and mode of address which is very objectionable. However poor a person may be he has the right to be pleasantly spoken to and civilly addressed by servants of the public. It may not be out of place to mention that the famous Gordon Circular which dealt with this question of civility on the part of police officers towards the public was greatly appreciated by every section

of the people but unfortunately the die-hard element in the services did not relish the policy of the then officiating Commissioner of Police and his pro-Indian sympathies did not receive official favour with the result that he was sidetracked and the circular has now become a dead letter. I now strongly plead for a real and effective control over these public servants so as to ensure that equal treatment in all respects is meted out to Indians and Europeans alike.

This now brings me, Sir, to another cut motion of mine which deals with the question of racial discrimination in the matter of parking of motor cars. As a motorist it has been my personal experience to notice that places where I have not been allowed to park may car were subsequently occupied by cars of European owners and that without any protest whatsoever from the Sergeants. I may also mention in this connection that I even went to the extent of reporting one such incident to the Commissioner of Police. But as was expected, no action was taken by the European Commissioner of Police. I know of several such bitter experiences of many other Indian motorists and therefore it is sad to contemplate that in our own country and under supposedly our own Government such glaring instances of preferential treatment to Europeans should be calmly tolerated.

Now, Sir, I come to the subject matter of my last but not the least important cut motion regarding the maintenance of a "Poor Box" by the Calcutta Police.

Sir, poor boxes used to be maintained in almost all Government departments for the purpose of exacting contributions from the public under official influence But as a result of strong public agitation the Government was compelled to issue a circular prohibiting the maintenance of any such fund by officials of Government. But strange to say the Calcutta Police still maintain a "Poor Box" in spite of Government orders to the contrary. And contributions to this fund are extorted from the public under threat of prosecution. Any person or motorist who infringes any traffic rule is served with a notice to pay a specified amount as donation to the Poor Box failing which prosecution would be launched against him. Therefore, in order to escape unnecessary harassment he has to donate the amount fixed for the purpose by the Deputy Commissioner of Police.

Sir, it may very well be argued that persons who commit breaches of traffic or other rules should be penalised to some extent by exacting a donation which grants him a relief from the trouble of going through criminal proceedings. It may be very well to say so. I would have nothing against such an opinion but for two main reasons.

Firstly, public exchequer suffers considerable loss of revenue from fines which would have been realised. This loss would not have been

by itself objectionable if the "Poor Box" had been a real and *bonâ fide* one meant for the relief of the distressed, and further if the distribution from the receipts of the fund had been impartially made. But it is not so. The entire amount goes to European and Anglo-Indian charities and even then charities sometimes of doubtful character. Relations and dependants of police officers receive not a very insignificant part of the fund annually.

Secondly, because the fund is devoted to charities which receive police patronage there is extraordinary zeal on the part of police officers and sergeants to harass the motorists (especially Indians) in order to swell the fund. Technical breaches of law and rules which in ordinary circumstances would have been overlooked or let off with a warning are noted down for despatch of a post card demanding contribution to the Poor Box failing which there is the threatened alternative of police court proceedings. And it is my conviction that 90 per cent. of the persons so threatened and who ultimately pay the contribution to the poor box are Indians. It is therefore all the more unfair and improper that the entire fund should be utilised for patronising Europeans and Anglo-Indians.

I, therefore, register my protest not so much against thet maintenance of the Poor Box as against the administration of the fund. I strongly plead for the vesting of the fund in a respresentative committee with a non-official majority, so that the proceeds may be strictly devoted to just and proper charitable purposes. My claim is further justified by the fact that the contribution to the fund is realised at the cost of provincial revenue which suffers loss from non-realisation of fines.

With these words I commend my cut motions to the acceptance of the House.

**Mr. HARENDRA KUMAR SUR:** Sir, I beg to move that the demand for Rs. 2,30,18,000 for expenditure under the head "29—Police" be reduced by Rs. 100. The object of the motion is to raise a discussion about the increased expenditure and top-heavy character of the administration without any corresponding improvement in the tone and morale of the service.

I also beg to move that the demand for Rs. 2,30,18,000 for expenditure under the head "29—Police" be reduced by Rs. 100. The object of the motion is to raise a discussion about inadequacy of provisions made for the purpose of maintenance of internal security and peace in the country, and want of planned schemes to meet the emergency likely to arise on account of war conditions.

Sir, the policy of the Government in respect of police administration in Bengal has been criticised every year during budget discussions under various grounds. But, Sir, these criticisms have failed to create the slightest impression on the Government. The policy of the Government of the old regime is still being vigorously pursued, sometimes with vengeance. Sir, when the provinces of Bengal, Bihar and Orissa formed a Lieutenant-Governor's province, the total expenditure on account of the Police was a little over Rs. 46 lakhs for 1901-02. As a result of the recommendations of the Indian Police Commission which sat in 1901-02 fat-salaried posts were created at the top on the plea of exercising effective control and supervision of the police force and a reorganisation of the police force was effected. After the introduction of Minto-Morley Reforms when the Presidency of Bengal was reconstituted in 1912, the actual expenditure for the year 1912-13 was Rs. 67,37,586. The number of superior officers was 115 including one Inspector-General of Police and four Deputy Inspectors-General of Police. The total strength of the Civil Police was 19,357. By superior officers I mean Inspector-General and Deputy Inspectors-General of Police, Superintendents, Assistant Superintendents and Deputy Superintendents of Police. After the introduction of Mortagu-Chelmsford Reforms the actual expenditure in the year 1922-23 amounted to Rs. 1,48,31,979. The number of superior officers was 141 including one Inspector-General of Police and six Deputy Inspectors-General of Police. The total strength of the Civil Police was 25,148. After the introduction of the present Reforms contained in the Government of India Act, 1935, the expenditure for 1937-38 was Rs. 2,27,69,000. The number of superior officers was 148. The total strength of the Civil Police was 26,543. The actual expenditure for the year 1938-39 was Rs. 2,21,27,000, and it was Rs. 2,28,28,000 in the year 1939-40. The number of superior officers was 154 including 7 Inspector-General and Deputy Inspectors-General of Police. The total strength was 27,479 and the amount of expenditure incurred on this head for the year 1940-41 was Rs. 2,34,50,000. Sir, as we have marched very slowly and cautiously through different stages of reforms towards progressive realisation of self-government under the fostering care of our foreign rulers, we find that the expenditure has increased from about half a crore in 1902 to Rs. 2½ crores in 1940. The number of high-salaried posts has increased gradually from 115 to 154 in 1940. The strength of the force has increased from 20,000 in 1912 to 30,000 in 1940. Now, Sir, if we study the figures relating to the number of serious crimes, we find that the number of serious crimes has also greatly increased, for instance in 1912 the number of dacoities was 201 and it is 714 in 1939. The number of riots was 581 in 1936 and it was 736 in the year 1939. The number of communal riots has also increased, particularly during the regime of the last Ministry. There were 4 cases of communal riots in 1937, 31 in 1938, 23 in 1939. The

recent riots which took place in the district of Dacca and the neighbouring villages are still fresh in our mind. Sixty-three villages were burnt to ashes. Forced conversion, looting, arson, and murder were the order of the day. The Police could not prevent nor could they give any protection so much so that about 10,000 villagers had to run away from the villages leaving their hearth and home to places within the territory of the Maharaja of Tripura. Then, Sir, some communal riots occurred on the Bakr-Id Day in 1939 within the jurisdiction of the police-station Feni. In broad daylight several thousand hooligans took part in the riot and the infuriated mob in their frenzy attacked a running train and the remarks of the Deputy Inspector-General of Police are that these riots had their origin in a vague rumour and the riots appeared to have been started by deliberately false rumour. The origin of the rumour, however, could not be traced. Not a single offender was brought to book. So much for the efficiency of the police administration with regard to the maintenance of internal security and peace in the country.

In one particular direction, however, you will find that the Police has shown an unusual zeal, namely, in the suppression of national movements and of national organisations and in the successful tackling of the politically-minded people.

There is one other aspect of the matter to which I would like to draw the attention of the House. The apathy and indifference of the Police amount to indirect encouragement, I mean, in the matter of growth of communalism and communal riots.

Then, Sir, as regards corruption, the less said the better. It sometimes occurs to me that the number of criminal acts committed by the custodians of law and order which come within the purview of the provisions of the Indian Penal Code is perhaps greater than the crimes actually committed by the public. But to-day the maintenance of internal security and peace in the country looms large in our minds. We are passing through a period of crisis. The pestilence of war has made its appearance within our gates, and we have before us the bitter experiences of evacuees from Burma. The reports are unanimous that in Burma the goonda elements in the society carried on their depredations freely and looting, plunder, robbery and stabbing followed. Unfortunately the Indian populations were the worst victims. This is the reason why the question of maintenance of internal security and peace to-day has become one of grave anxiety. The entire responsibility rests on the Government for the maintenance of internal peace and security in the country. As the war proceeds, the goonda elements in the society will seize the opportune moment for carrying on their nefarious activities by taking advantage of the fact that the existing machinery of Government will not be able to cope successfully with the situation. Sir, the Police have got in their possession

the lists of suspects, habitual offenders and bad characters and various gangs and members of other criminal tribes. It is for the Government to devise measures for keeping these elements under control. Sir, as the war proceeds there will be dislocation of communication and transport and people will have to revert to the older modes of conveyance which were in vogue before the railways were constructed and when motor cars were unknown in the countryside. Sir, we realise that the Government cannot cope successfully with the situation under such circumstances without the help and co-operation of the civil population. But then again, Sir, it is for the Government to create an atmosphere so that at least in this matter there may be co-operation between the Government and the civil population. The village police system has been neglected in the past and it will have to be strengthened but the provisions made in the budget do not indicate that the Government have realised the gravity of the situation. Intelligent propaganda will have to be carried on from one end of the country to the other, just to organise people as self-supporting units and self-sufficient republic at least for the purpose of maintenance of internal security and peace. But the obstacles are many. Public meetings are prohibited in all districts and the application of the Defence of India Rules has become very frequent The civil population must be taken into confidence and the Ministry must make their position clear.

(On reaching the time-limit the honourable member resumed his seat.)

**Maulvi ABUL HOSSAIN AHMED:** Sir, I beg to move that the demand for Rs. 2,30,18,000 for expenditure under the head "29—Police" be reduced by Rs. 100.

Deputy Speaker, Sir, Hon'ble Dr. Mookerjee is absent to-day; he is the life of the Ministry. আমি আপনার যোগে মাননীয় Dr. Mookerjeeকে অভিনন্দন জানাচ্চি যাঁর প্রতাপে আজ বাংলার Chief Minister ভীত, কম্পিত, নতজানু। Police administrationএর কথা বল্‌তে গেলে মনে হয় পুলিশের corruptionএর কথা। Corruption সম্বন্ধে আমি কিছু বল্‌ব না, কারণ, পুলিশের corruption party in powerএর কাছে ম্লান। Calcutta Police সম্বন্ধে আমি একটা suggestion দেব এবং সেটা এই যে কলিকাতা পুলিশে Sergeant এবং up-country Constable যা আছে সেই সমস্তের জায়গায় অতি সত্বর বাঙ্গালী কর্‌তে হবে। এই সব সার্জেণ্ট এবং upcountry কনেষ্টবল আমাদের বাঙ্গালীদের সর্ব্বদা অপমান এবং লাঞ্ছনা দিচ্চে। গত শুক্রবার আমি চোখের সাম্‌নে দেখ্‌লাম যে Esplanadeএ এক up-country Constable একজন বাঙ্গালীকে মার্‌চে, এবং কেবল মারে নি, তাকে আবার ধ'রে নিয়ে চলে গেল থানায়। আমরা চাই Dominion Status, আমরা চাই পূর্ণ স্বায়ত্তশাসন, কিন্তু আমরা এখনও এই কনষ্টেবল্

নিজেদের লোক করতে পারলাম না। এই সার্জেণ্টরা এবং up-country কন্‌ষ্টেবলরা কেবল আমাদের অবমাননা করে না, আমাদের ঘৃণাও করে। সম্বর এ থেকে আমাদের মুক্তি পেতে হবে। Dr. Mookerjee নাই, কে শুনবে, কে কাজ করবে? হক্ সাহেব ত Cipher Minister, এই Calcutta Police সম্বন্ধে আমি যে কথা বলছি তা যদি হয় তাহলে Calcutta Policeএর মোটামুটি reformation হয়ে গেল। Sergeantদের এবং up-country constableদের যদি দরকার হয় লাখ লাখ টাকা gratuity দিয়েও অতি সম্বর তাড়িয়ে দিয়ে সে জায়গায় বাঙ্গালী বহাল করতে হবে।

আমার বন্ধু খাঁ বাহাদুর মহম্মদ আলী সাহেব বলেছেন Indianisation of the posts of Police Sergeants করতে হবে, আমি বলি Bengalisation করতে হবে, বাঙ্গালীকে বহাল ক'রতে হবে। আমরা কি কেবল লোক আনব বোম্বাই থেকে, মাদ্রাজ থেকে, U. P. থেকে? তা কখন হ'তে পারে না। আমরা বাঙ্গালীকে বহাল ক'রব ঐ সব জায়গায়। Calcutta Police সম্বন্ধে আমার মাত্র এই কথা, আর বেশী কিছু নাই। তবে আমাদের Chief Minister কি পারবেন তা ক'রতে? তিনি ত এখন Home Minister, তিনি জানছেন না তিনি ৪ মাস আগে ছিলেন বাঙলার বাঘ; এখন সে জায়গায় হয়েছেন বাহন। বাংলার বাঘ বাহনে পরিণত হয়েছেন। তবে একটা সান্ত্বনা এখনও আছে, হিন্দুমতে বাহনেরও পূজা আছে। (Laughter.)

এখন Bengal Police সম্বন্ধে বলব। আমি আজ ৪ বছর যাবৎ Bengal Police সম্বন্ধে বোলে আসছি, কারণ আমিও পুলিশে ছিলাম ২১॥ বছর। Bengal Police সম্বন্ধে আমি প্রধান কথা যা বরাবর বোলে এসেছি এখনও তাই বলছি। Inspector-General of Police এখন gradual promotion দ্বারা হয়ে থাকেন, মানে সুপারিণ্টেণ্ডেণ্ট থেকে হয়ে থাকেন এবং তিনি হন একজন ইউরোপীয়ান। তিনি মস্ত বড় ডিপার্টমেণ্টের head, সেই পুলিশের মধ্য থেকে promotion দ্বারা যদি Inspector-General of Police করা হয় তবে তিনি কখন কি তাদের উপর control রাখতে পারেন? কখন পারেন না। তিনি তাদের কথায় Ditto দিয়ে যান, এবং কাগজে কলমে কেবল whitewash করেন, আর কিছুই নয়। পূর্ব্বে নিয়ম ছিল Inspector-General of Police একজন senior I. C. S. হতেন। স্বদেশী যুগে, অর্থাৎ Police concoctionএর যুগে ঠিক হয় যে না, ডিপার্টমেণ্ট থেকে প্রোমোশন হয়ে হবে। কি উদ্দেশ্য ছিল Departmental promotion দ্বারা ইন্‌স্পেক্টর-জেনারেল করবার তা আপনারা বেশ বুঝতে পারছেন। আর সেই concoctionএর যুগ নাই, এখন আবার সেখানে senior I. C. S. থেকে হওয়া উচিত। ইন্‌স্পেক্টর-জেনারেল পুলিশ সাহেবদের একজন বন্ধু। যদি পুলিশ সাহেবরা আমাদের বাঙ্গালী অফিসারদের শাস্তি দেন তবে তার আপীল করলেও কিছু হয় না। গত ৫ বছরের মধ্যে আমি প্রায় ১ শত পুলিশ কর্ম্মচারীর সঙ্গে আলাপ করেছি। সকলের একই grievance, সকলেই বলেন যে ইন্‌স্পেক্টর-জেনারেল যেন senior I. C. S. থেকে হন।

এই গেল এক কথা। দ্বিতীয় কথা, ইন্‌স্পেক্টর-জেনারেল উর্দ্ধতন পুলিশ কর্ম্মচারিদের কাজকর্ম্ম দেখে থাকেন। ডেপুটী সুপারিণ্টেণ্ডেণ্ট up to ডেপুটী ইন্‌স্পেক্টর-জেনারেল—এঁদের কাজ তিনি দেখে থাকেন। এখন investigation হয়েছে বেঙ্গল পুলিশের বড় কথা। Investigation এবং administration এর কর্ত্তা সার্কেল ইন্‌স্পেক্টর। সেই সার্কেল ইন্‌স্পেক্টর হয়ে থাকেন ঐ পুরান পাপী দারোগা থেকে প্রোমোশন পেয়ে। সেই পুরান পাপী পুরান ঘুষখোর দিয়ে আপনারা কি আশা কর্‌তে পারেন ডিপার্টমেণ্টের উন্নতির? তিনি কেবল দারোগাদের কোন রকমে বাঁচিয়ে নিয়ে যান; তাদের দোষ ধরার দিকে তাঁর কিছু মাত্র মনোযোগ যায় না। এইজন্য বল্‌চি যে ইন্‌স্পেক্টর-জেনারেল সিনিয়র আই, সি, এস্‌ থেকে কর্‌তে হবে এবং শতকরা ৫০ জন ইন্‌স্পেক্টর নিতে হবে বি, সি, এস্‌ থেকে। এ সম্বন্ধে আজ ৩ বৎসর যাবৎ Police Administration Committeeতে আলোচনা হচ্চে। আমি তার একজন মেম্বর ছিলাম; স্যার নাজিমুদ্দিন ছিলেন তার প্রেসিডেণ্ট এবং অনেক M. L. A. তার মেম্বর ছিলেন; ইন্‌স্পেক্টর-জেনারেল স্বয়ং তার মেম্বর এবং পুলিশ কমিশনারও তার মেম্বর। গতবার এই Police Administration Committeeর মিটিংএ অধুনাতন ইন্‌স্পেক্টর-জেনারেল মিঃ গর্ডন্‌ ৩ পৃষ্ঠা ভরে যুক্তি দেখিয়েছিলেন যে তা হ'তে পারে না, অর্থাৎ B. C. S. থেকে direct recruitmentএ ইনস্পেক্টর হ'তে পারে না। এতে তিনি ভীষণ অপদস্থ হয়েছেন, কেননা পুলিশ কমিশনার পর্য্যন্ত তাঁকে সমর্থন করেন নি। আমরা unanimous হয়েছিলাম যে 50 per cent. of posts direct recruitmentএ B. C. S. থেকে নিতে হবে এবং স্যার নাজিমুদ্দিন সেটা promise করেছিলেন। কিন্তু দুর্ভাগ্যবশতঃ তিনি তখন হাজারীবাগে চলে যান চেঞ্জের জন্য। তখন চীফ্‌ মিনিষ্টার তাঁর কাজ কর্‌ছিলেন এবং তিনিও promise দিয়েছিলেন, কিন্তু তিনি এজন্য কিছু করেন নি। অবশ্য কেন তিনি কিছু করেন নি জানি না; সেই জন্যই বলি তিনি Cipher Minister তবে একথা জানাতে পারি যে এই একটী বিষয়ের সম্বন্ধে কারও মতদ্বৈধ হয় নি। স্যার নাজিমুদ্দীন বলেছিলেন, যত মেম্বর ছিলেন সেই কমিটীতে সকলেই বলেছিলেন যে হাঁ, 50 per cent. recruitment B. C. S. থেকে কর্‌তে হবে; ক'র্‌লে honestly কাজ কর্ম্ম হবে; এবং যারা দারোগা থেকে প্রোমোশন পাবে তাদের বাধ্য হয়ে ভাল কাজ ক'র্‌তে হবে। এই দুটো কাজ ক'র্‌লে Bengal Police force একেবারে ভাল হয়ে যাবে।

আর পরিশেষে একথা মনে ক'রতে হবে যে অধিকাংশ পুলিশ সুপারিণ্টেণ্ডেণ্ট ইউরোপীয়ান। ঐজন্য ইউরোপীয়ান মোটেই নেওয়া হবে না; সব বাঙ্গালী নিতে হবে। নইলে independence চাওয়ার মানে কি? পূর্ণ স্বাধীনতা আমরা চাইচি আর দেশ শাসন কর্‌তে পার্‌চি না—এ অতি লজ্জার বিষয়। দুঃখের বিষয় Dr. Mookerjee যিনি কাজ ক'র্‌তে পারেন তিনি নাই; আমি বল্‌ব কাকে? He is the life of the Cabinet; তিনি কি জন্য অনুপস্থিত বুঝ্‌তে পারি না।

Dr. Mookerjee এতক্ষণে এসেছেন: তিনি আর কিছু আগে আস্‌লে ভাল হ'ত। যা হোক আমি আশা করি ডাঃ মুখার্জী, আমি যা বল্‌লাম তা পড়ে দেখ্‌বেন এবং আমি আশা করি যদি কিছু হয় তাঁর দ্বারাই হওয়া সম্ভব এবং হ'তে পারে। তিনিই চেষ্টা

ক'র্‌লে কিছু করতে পার্‌বেন, চীফ্ মিনিষ্টার করতে পার্‌বেন না। গত 8 বৎসর যাবৎ আমি Ministryকে stable করতে চেষ্টা কর্‌ছি কিন্তু আপনার reactionএর জন্য আপ্রাণ চেষ্টা করা সত্ত্বেও তা পারি নি। এখন তার ফল সকলেই ভোগ করুন।

পরিশেষে আমার ওপারের বন্ধুগণকে বল্‌চি আপনারা যে শৃঙ্খল পরেছেন সেই শৃঙ্খল থেকে কেবল লীগই আপনাদের মুক্ত ক'র্‌তে পার্‌বে এবং আমি চীফ্ মিনিষ্টার সাহেবকে বল্‌তে চাই যে আপনি মি: বোসের সঙ্গে combination কোরে যে আগুন নিয়ে খেলা কর্‌চেন সেই আগুনে আপনিই পুড়ে ম'রে যাবেন।

### Petition presented by Dr. Nalinaksha Sanyal.

**Mr. DEPUTY SPEAKER:** Dr. Sanyal, the petition presented by you this morning is not, I am afraid, a matter for the Committee of Petitions, and I am therefore unable to refer it to the Committee of Petitions. All that I can do and want to do is to hand over the petition to the Hon'ble the Home Minister for necessary action.

**Dr. NALINAKSHA SANYAL:** Thank you, Sir.

## DEMAND FOR GRANTS.

### 29—Police.

**Mr. P. BANERJI:** Sir, I beg to move that the demand of Rs. 2,30,18,000 for expenditure under the head "29—Police" be reduced by Rs. 100. The object of the motion is to raise a discussion about the failure of police to check theft and burglaries, and increased bribery and corruption in the department.

Sir, this complaint against the police is as old as ever. I will just point out how this is alarmingly increasing year after year. Sir, I have before me the administration report of the department both of Calcutta and of Bengal. I have not much time to deal with all the items, but I will deal with only a few items from which it will be evident how these crimes have been alarmingly increasing.

Sir, I take up from the year 1937 during the regime of Sir Nazimuddin.

Sir, in 1937 the number of thefts in Calcutta was 4,750 and it increased year after year till in 1940 it rose to 8,300. The number of burglaries in 1937 was 430 and it went up to 1,500 in 1940. In the mufassal, the number of thefts in 1937 was 19,764 and it went up to 25,797 in 1940 and the numbers of burglaries for 1937 and 1940 were

এই গেল এক কথা। দ্বিতীয় কথা, ইন্‌স্পেক্টর-জেনারেল উর্দ্ধতন পুলিশ কর্ম্মচারিদের কাজকর্ম্ম দেখে থাকেন। ডেপুটী সুপারিণ্টেণ্ডেণ্ট up to ডেপুটী ইন্‌স্পেক্টর-জেনারেল—এঁদের কাজ তিনি দেখে থাকেন। এখন investigation হয়েছে বেঙ্গল পুলিশের বড় কথা। Investigation এবং administration এর কর্ত্তা সার্কেল ইন্‌স্পেক্টর। সেই সার্কেল ইন্‌স্পেক্টর হয়ে থাকেন ঐ পুরান পাপী দারোগা থেকে প্রোমোশন পেয়ে। সেই পুরান পাপী পুরান ঘুষখোর দিয়ে আপনারা কি আশা কর্‌তে পারেন ডিপার্টমেণ্টের উন্নতির? তিনি কেবল দারোগাদের কোন রকমে বাঁচিয়ে নিয়ে যান; তাদের দোষ ধরার দিকে তাঁর কিছু মাত্র মনোযোগ যায় না। এইজন্য বল্‌চি যে ইন্‌স্পেক্টর-জেনারেল সিনিয়র আই, সি, এস্‌ থেকে কর্‌তে হবে এবং শতকরা ৫০ জন ইন্‌স্পেক্টর নিতে হবে বি, সি, এস্‌ থেকে। এ সম্বন্ধে আজ ৩ বৎসর যাবৎ Police Administration Committeeতে আলোচনা হচ্চে। আমি তার একজন মেম্বর ছিলাম; স্যার নাজিমুদ্দিন ছিলেন তার প্রেসিডেণ্ট এবং অনেক M. L. A. তার মেম্বর ছিলেন; ইন্‌স্পেক্টর-জেনারেল স্বয়ং তার মেম্বর এবং পুলিশ কমিশনারও তার মেম্বর। গতবার এই Police Administration Committeeর মিটিংএ অধুনাতন ইন্‌স্পেক্টর-জেনারেল মিঃ গর্ডন্‌ ৩ পৃষ্ঠা ভরে যুক্তি দেখিয়েছিলেন যে তা হ'তে পারে না, অর্থাৎ B. C. S. থেকে direct recruitmentএ ইনস্পেক্টর হ'তে পারে না। এতে তিনি ভীষণ অপদস্থ হয়েছেন, কেননা পুলিশ কমিশনার পর্য্যন্ত তাঁকে সমর্থন করেন নি। আমরা unanimous হয়েছিলাম যে 50 per cent. of posts direct recruitmentএ B. C. S. থেকে নিতে হবে এবং স্যার নাজিমুদ্দিন সেটা promise করেছিলেন। কিন্তু দুর্ভাগ্যবশতঃ তিনি তখন হাজারীবাগে চলে যান চেঞ্জের জন্য। তখন চীফ্‌ মিনিষ্টার তাঁর কাজ কর্‌ছিলেন এবং তিনিও promise দিয়েছিলেন, কিন্তু তিনি এজন্য কিছু করেন নি। অবশ্য কেন তিনি কিছু করেন নি জানি না; সেই জন্যই বলি তিনি Cipher Minister তবে একথা জানাতে পারি যে এই একটী বিষয়ের সম্বন্ধে কারও মতদ্বৈধ হয় নি। স্যার নাজিমুদ্দীন বলেছিলেন, যত মেম্বর ছিলেন সেই কমিটীতে সকলেই বলেছিলেন যে হাঁ, 50 per cent. recruitment B. C. S. থেকে কর্‌তে হবে; ক'র্‌লে honestly কাজ কর্ম্ম হবে; এবং যারা দারোগা থেকে প্রোমোশন পাবে তাদের বাধ্য হয়ে ভাল কাজ ক'র্‌তে হবে। এই দুটো কাজ ক'র্‌লে Bengal Police force একেবারে ভাল হয়ে যাবে।

আর পরিশেষে একথা মনে ক'রতে হবে যে অধিকাংশ পুলিশ সুপারিণ্টেণ্ডেণ্ট ইউরোপীয়ান। ঐজন্য ইউরোপীয়ান মোটেই নেওয়া হবে না; সব বাঙ্গালী নিতে হবে। নইলে independence চাওয়ার মানে কি? পূর্ণ স্বাধীনতা আমরা চাইচি আর দেশ শাসন কর্‌তে পার্‌চি না—এ অতি লজ্জার বিষয়। দুঃখের বিষয় Dr. Mookerjee যিনি কাজ ক'র্‌তে পারেন তিনি নাই; আমি বল্‌ব কাকে? He is the life of the Cabinet; তিনি কি জন্য অনুপস্থিত বুঝ্‌তে পারি না।

Dr. Mookerjee এতক্ষণে এসেছেন: তিনি আর কিছু আগে আস্‌লে ভাল হ'ত। যা হোক আমি আশা করি ডাঃ মুখার্জী, আমি যা বল্‌লাম তা পড়ে দেখ্‌বেন এবং আমি আশা করি যদি কিছু হয় তাঁর দ্বারাই হওয়া সম্ভব এবং হ'তে পারে। তিনিই চেষ্টা

Now, Sir, there are no two opinions about the fact that the police are not doing their duty and they are hopelessly corrupt.

Sir, I would remind the Hon'ble Minister in charge of this portfolio to-day of his experience in 1915. The Hon'ble Mr. Fazlul Huq, after his resignation from the Subdivisional Magistrateship of Jamalpore narrated in a public meeting—I was present in that meeting—the causes of his resignation. He gave us a very interesting story There was a Court Sub-Inspector of Police named Kalimuddin who used to give such notes: "case true, no clue Sd. Kalimuddin," and Mr. Fazlul Huq as Subdivisional Officer used to dismiss all the cases one after another. Now, as the House knows, if there is no conviction, there is no promotion in the department—that was the order of the day and I think this is so even now. So, Mr. Fazlul Huq resigned— I do not know what actually happened—it might be out of disgust or it might be out of pressure. But the main reason was that he used to receive such notes as "case true, no clue. Sd. Kalimuddin." When Mr. Fazlul Huq asked Mr. Kalimuddin how did he know that the case was true when there was no clue, he could not give any satisfactory answer. So, when Mr. Fazlul Huq became the Chief Minister in 1937 and such cases were brought before the Government, I was tempted to ask myself why Mr. Fazlul Huq was not resigning from his Chief Ministership When the cases of those persons who were detained without trial came up, history repeated itself and Sir Nazimuddin used to say "case true, no clue. Sd Nazimuddin'.' Instead of the signature of Kalimuddin, there was the signature of Nazimuddin. Sir Nazimuddin used to say "such cases cannot be brought before court, but still it is true", but still Mr. Fazlul Huq has not resigned. He has now taken the portfolio himself and he is quite aware of the state of affairs in the department. I have just reminded him of the incident that made him resign his post. At the moment, I consider him to be the most competent man as he was a Magistrate and as such knows the working of the Police Department. I can tell him on good authority that the same state of things still exists in the country and there has been no improvement whatsoever.

Now, Sir, it is hoped that Government will take these matters in right earnest and see what is possible for them to do.

There is not much time, but I will give one instance Of course I can multiply instances, but I shall give only one instance and that instance is about the bribery and corruption in the Police Service, which are daily increasing. I will speak about the officer-in-charge of Daulatpur thana. His business is to satisfy high officials by raising subscriptions for the war fund. Whenever there is a *jatra* or a theatrical performance in the villages within his jurisdiction he goes to respectable people as soon as the performance is over and tells them that some loss has been incurred and says "Please give us some money".

In this way, Sir, he extorts money from the people. One day he approached me. I know, Sir, how police officers work and I have no respect for the police force, particularly for those who are corrupt. I knew that this particular police officer was very corrupt. He approached me and wanted some money. He told me: "You are a member of the Legislature; you are a rich man. You must make a substantial donation." I said: "I am a Congressman and so I cannot pay anything for the war fund. But if you want help for other good causes I can give you some money." Sir, I did not give a single farthing to him. From that day on he began mischief and he was so mean and wicked that *badmashes*, thieves and robbers thrive in the locality practically under his command. These police officers have a gang for themselves and in the countryside, taking advantage of the helpless position of the British administration in this country, and following the example of Burma, they are now going about perpetrating dacoities. You will be surprised to hear, Sir, that my sons with my whole family being afraid left Daulatpur. Immediately afterwards there was a burglary there under the very nose of the police. Now, Sir, this must have been done by the friends of the thana officer. As pointed out by Mr. Sur, in the countryside, we are living in a sense of insecurity. If that is so to-day and if these thana officers follow the example of the former police we can well imagine the state of affairs in the countryside. Gentlemen who came from Prome and Mandalay in Burma had been starving for the last few days——

**Mr. DEPUTY SPEAKER:** Please speak of Bengal.

**Mr. P. BANERJEI:** Yes, Sir. They could not get anything. They had a lot of money with them, but whatever they had was robbed and they came like so many beggars. It is, therefore, time that our Government also should take immediate steps so that a recurrence of such incidents may be stopped immediately.

**Mr. SERAJUL ISLAM:** Mr. Deputy Speaker, Sir, I beg to move that the demand of Rs. 2,30,18,000 for expenditure under the head "29—Police" be reduced by Rs. 100. The object of the motion is to raise a discussion about controlling the cinema shows in the province.

Sir, I may at once tell this House my view about the cinemas in this province. Sir, the cinemas have done greater harm to our society than good. (A VOICE: Question.) However, this is my view; the House may take it or not. So far as the moral and inner sides of our young men are concerned, these cinemas have done irreparable harm to them. So far as the cinemas of cities like Calcutta are concerned, I do not like to deal with them, but, so far as the cinemas of the interior of this province are concerned, I should like to draw the attention of

my honourable friends in this House to the fact that in almost every small city in the province there are permanent houses to attract the people of the rural areas. I particularly know of people who are really starving but who come to the cinema every day by selling their articles of food, utensils and such other things, and you will be surprised to hear, Sir, that there are people who are coming to the cinema with what little they get by pounding harmless cattle of innocent men. You know, Sir, that by pounding cattle they get something from the pound-keepers and with that money, I know of particular instances, they attend cinemas.

I may cite many instances as regards cinemas in general, but I shall now at once come to the cinemas with regard to children. With regard to cinema and the children I feel very strongly that some legislation should be made by our Government prohibiting children seeing pictures which are meant for the adults

Sir, a certain organisation in London is very keen about this matter. They were once alarmed at the over-sexy tendency of some of the latest Hollywood pictures and they demanded that children under 18 should not be allowed to see those pictures even when they were accompanied by their parents.

In spite of the parents, the State is also responsible to a great extent for the general morale of the rising generation. Sir, this is the view of a section of the materialistic people of London, but the fun of it is this that spiritualistic people like us do not bother ourselves for such an important matter. Any sane person will admit, Sir, that some of the Hollywood pictures with bare legs and bare backs or the girls wearing small panties or some of the passionate romances which are over-sexed with daring conceptions are not at all suitable for the children.

Sir, if we make enquiries, we will at once see that the bulk of the audience in the cheaper seats are school-going children or young boys or girls yet in their teens. It is needless to state how these pictures affect the younger minds. Some may say that the guardians should take steps in the matter. But, Sir, children are always children. If they are prohibited, their inquisitiveness will increase. So, some kind of legislation is absolutely necessary.

It is a pity, Sir, that our Board of Censors do not bother their heads over such a matter—a regular menace to our society.

Sir, the House will be glad to learn that while we are lagging behind the Gwaliar State has introduced a Cinemotograph Act which regulates not merely the licensing and controlling of cinemas but would also be responsible for certifying films for public in Gwaliar State. The Act is concerned with children above the age of 5 and below the age of 16 years. Prohibition is mentioned there in the notices, handbills and posters advertising the show.

A progressive legislation like this is a new thing in India. Sir, we are told that what Bengal thinks to-day, the rest of India thinks to-morrow. But in this matter of all matters of immense social importance Bengal is not yet thinking.

Sir, may we hope that the progressive Government of the Hon'ble Mr. A. K. Fazlul Huq will take up my suggestion in right earnest so that we may get a legislation to the effect in no time to save our young hopefuls from degeneration and degradation. Not only degradation, but I must say that they are on their way to annihilation, if we allow the cinemas of our country to go in the way that they have been going on up to this time. Therefore, I hope, Sir, that Government will at once take steps to see that by classification a class of pictures is set apart for our young men only. If that is done, I am sure, we shall be doing a great good to our rising generation—the future hopes of our country.

**Mr. MIRZA ABDUL HAFIZ:** I beg to move that the demand of Rs. 2,30,18,000 under the head "29—Police" be reduced by Rs. 100. The object of the motion is to raise a discussion about the grievances of the Muslims in the Criminal Investigation Department and District Intelligence Branches.

Mr. Deputy Speaker, Sir, in moving this cut motion I am to draw the attention of the House to the General Budget expenditure on Police for the years 1938-39 and 1942-43 for contrast. In the year of 1938-39 under this head the actual was 2,21,27,000 and the budget estimate just four years after is 2,48,62,000, i.e., Rs. 27,35,000 more, which is undoubtedly a large amount. Far from adopting a retrenched measure on urgent economic basis in the top-heavy administration, etc., at this critical juncture it is being gradually increased and increased without paying any serious consideration to it.

Now, Sir, coming to the Criminal Investigation Department we find that just about Rs. 17 lakhs (i.e., Rs. 16,95,000) have been estimated and for the District Executive force, Presidency Police, Superintendence and Special Police concerned we find that a huge amount of Rs. 220 lakhs have been estimated in the budget for the year 1942-43.

Sir, looking at the proportion of Hindus and Muslims, besides the Deputy Inspector-General of Police in charge of the Intelligence Branch, Criminal Investigation Department, we find the figure stands as follows (of course subject to correction):—

The services of the 4 Superintendents of Police (superior scale) on Rs. 1,450 and less have been placed at the disposal of the Government of India, Home Department, for employment in the Intelligence Bureau. None of them is a Muslim. Of the 4 Special Superintendents

of Police, Intelligence Branch, of the same superior scale one happens fortunately to be a Muslim. One Assistant Superintendent of Police, Intelligence Branch, inferior scale; he is not a Muslim.

Coming to the Bengal Police Service—one Officiating Additional Superintendent of Police in District Intelligence Branch—he is not a Muslim. Of 2 Deputy Superintendents of Police attached to the Intelligence Branch none is a Muslim. Of 8 officiating Deputy Superintendents of Police attached to the Intelligence Branch none is a Muslim; of one D.I.B. he is not; of one C.I.D. he is also not. In the cadre of the Inspectors of Police, Criminal Investigation Department, on Rs. 175—300, of 29, only 12 are Muslims and 17 non-Muslims. Of the 23 Inspectors attached to the Intelligence Branch all are non-Muslims without any exception; of one D.I.B. he is not. One Inspector officiating as a Deputy Superintendent of Police, Intelligence Branch; he is not. Of the 3 Inspectors on deputation to the Intelligence Bureau (Home Department), Government of India, none is a Muslim. Of the 11 Honorary Inspectors of Police on Rs. 200—300, one is a Muslim and the ten rest are non-Muslims, i.e., of the total barely 15 per cent. are Muslims.

Traversing into the field of the Calcutta Police in the Detective Department out of 9 Inspectors only 4 are Muslims, in the Special Branch, out of 17 Inspectors only one is a Muslim, i.e., in Calcutta Police only 19 per cent. Muslims.

Sir, I do not like to traverse throughout the whole region under the head "Police" at this stage on the point. Sir, there is such an awfully miserable position of the Muslim community in such vitally important branches. Can anybody expect that there are even a bare number of Muslim clerks (on 600 and less), Sub-Inspectors (275 and less), Assistant Sub-Inspectors and head constables (40 and less) constables (24 and less) and servants (50 and less) under each of their offices in connection with the Intelligence Branch and those of the Criminal Investigation Department and District Intelligence Branch? No, one cannot. It is known that in those offices scarcely a Muslim officer or servant of the department finds an entry even. They are always safely kept out of the touch very cautiously and tactfully. It is further known that the Muslims are treated no more than Pariahs and Scheduled Castes in those offices. Why? The Muslim community pauses for an answer. They demand nothing more than bare justice and equitable justice in every department. They do not pray for any mercy, favour or undue advantage. If anybody says, whoever he may be either a European or any other non-Muslim that they, referring to the Muslims, are inefficient and incompetent, "Nonsense" I and thousand others shall at once thunder. Why not? The nation, once the most civilized nation in the world, brought a new era, a renaissance and helenised the major portions of Europe, Asia and Africa and ruled and administered for

so many centuries most efficiently and creditably in the best way possible and practicable; they do still maintain sufficient amount of potential energies to establish the kingdom of Pakisthan far less to speak of efficiently doing such petty jobs and so on.

I do not know what the Hon'ble Mr. A. K. Fazlul Huq in charge of the Department will say. I do most emphatically demand from the Hon'ble Minister that in spite of avoiding on some plea or other he himself will be pleased to declare on the platform of this House what course he plans to follow to redress the grievances of the Muslims in the aforesaid matters and will not allow anybody else to answer just as was done the other day on the demand for grant under "General Administration" when Dr. Mookerjee stepped into his shoes.

With these remarks, Sir, I commend the motion for the acceptance of the House.

**Dr. NALINAKSHA SANYAL:** Mr. Deputy Speaker, Sir, I beg to move that the demand of Rs. 2,30,18,000 for expenditure under the head "29—Police" be reduced by Rs. 100. The object of the motion is to raise a discussion on the selection, training, equipment and emoluments of Civic Guards.

Sir, in an atmosphere which we are all now thrown into it is interesting to note that the debate on the Police Budget has taken an entirely new turn this year from what we had experience of in previous years. Instead of criticising the Government for having placed large sums of money under the head "Police" we have this year concentrated our attention on the inadequacy of arrangements in various places and particularly in the rural areas because we have all felt that the time has come when better security of life and property must be ensured. Although we on this side of the House feel that there is still a large scope for readjustments as between high salaries paid to a certain limited number of officers at the top and low salaries paid to a large number of low-paid officers and constables, we think that it will not be a real approach to the problem if we forget the immediate needs at the present moment. And with that end in view I would like to draw the attention of the House to the necessity of having properly organised Civic Guards to supplement the activities of the ordinary police. Sir, we have known how the Government of Bengal has planned to strengthen the hands of the police in the city of Calcutta and other dangerous areas as well as in some mufassal centres with the constitution of a number of organisations going by the name of Civic Guards. Unfortunately, however, it has been our experience that in the selection of these Civic Guards proper care has not been taken, as a result whereof we have noticed that certain most undesirable characters have been permitted to step into this organisation and, to say in one word, it is the general complaint that it is the scum of society that has

found place in the organisation of Civic Guards. Apart from the mental and moral calibre of these people I have personally seen the physical incapability of some of these men, and I must say that it has left in me a most depressing effect. The physique and the look of these Civic Guards leave me in despair as to how these men will give me and my faimly protection if, God forbidding, insecurity runs rampant. I would not like to indulge in any individual examination. If it is necessary, I might place for consideration the cases of individuals which should be thoroughly gone into. During the general discussion of the Budget and the discussion of the Extraordinary Charges at the time of the Supplementary Budget discussion I wanted to draw the attention of the House to one or two individual glaring cases where the Civic Guards had attempted to abuse their power. All these have been possible only because the right type of men have not been selected. In the selection of this category of people, category of defenders, Government should be actuated with no other motive, no other consideration than efficiency. We have found that young men who are known to be of service to the people in various ways and we have in the past organised volunteer corps and the like have been deliberately kept out, and some *Jo Hukums* who have either been helpful to individual police officials or the magistracy in certain kinds of actions which are not very honourable, such men alone have been found to be suitable so far. And even apart from that selection, Sir, I am afraid, we have not had any evidence of any arrangement for good training and proper equipment of these persons, for I feel that even after the selection has been done there is a good deal to do with regard to the training of these men. But, Sir, the training is not properly arranged. There is hardly any proper arrangement for equipping them either, and, Sir, these men have not been given certain elementary arms for protection with which they can protect themselves and the citizens, far less to speak of arming them with guns and firearms to fight enemy infiltration. It is necessary, Sir, to equip the Civic Guards after they are properly selected and trained so that they can be really useful in times of emergency.

Sir, I need hardly go into the details of the equipments necessary, but in our country it is almost axiomatic that there should be some organised effort to resist hooliganism with a number of properly equipped resisters who may be termed Civic Guards or otherwise. While speaking on this, it occurs to me that I should draw the attention of the Hon'ble Minister in charge to the urgency of setting up a mobile organisation for maintaining peace and communal harmony throughout the province and this organisation should be set up immediately. Whether this would be set up with the help of what the Government should term as Civic Guards or Civil Protection Committee is what I do not want to enter into at the present moment. It is felt that the time has come when the Government should really

review the entire relationship between the police and the public, and the police and the civic guard and the public as between themselves, between one community and the other. It is understood that certain District Magistrates have already applied their mind to a question of this character and they have been thinking of setting up local mobile organisations for maintaining communal harmony. And in this respect I take pride in stating that with the help of the members of this Legislature of the district, the District Magistrate of Murshidabad has already started an organisation for maintaining peace and internal security and maintaining communal harmony. Whenever there is any apprehension of a breach of the peace or any reason to feel that the public may be feeling agitated over a communal question, the Magistrate has of late been taking the help of the local influential men including the local M.L.A.'s and rushing to stop the discontent immediately and as early as possible. Thus, with the help of such leaders of public opinion he has been able to allay public feeling to such an extent that it has been possible for Murshidabad to have now complete communal harmony. I take pride in this position of Murshidabad. I think that the Government, either with the help of Civic Guards or other organisations, can set up similar organisations in every part of the province and where local leaders might fail Government may have such mobile organisations with Provincial Headquarters at Calcutta and with probably some of the Hon'ble Ministers themselves prepared to collaborate with them in the work of maintaining perfect peace and harmony as between communities and as against those rowdy elements which might take advantage of the emergent situation.

With these words, Sir, I most sincerely urge on the Hon'ble Minister in charge that the Government should come forward to revise the entire arrangement of Civic Guards and that both in the selection as well as in the training and equipment of these men better methods should be immediately adopted.

**Mr. W. C. WORDSWORTH:** Mr. Deputy Speaker, Sir, any reasoned criticism of the Civic Guards must be useful whether it comes from outside or from inside and I thank Dr. Sanyal for raising the matter in debate. I have listened with interest to what he has said, with appreciation to some of it and I think it will contribute to good results. I myself would like to offer certain observations from within the movement, in which I have worked from its beginning.

In a resolution that has not been moved a reference is made to the Civic Guards in relation to the communal ratio. I do not know what that means. We take all who come if they look fit and likely to do the work and are prepared to take the oath and to do hard work. We do not bother about any formula of 54 per cent. Muslims or 46 per

cent. Hindus or anything else. I say that as a District Commander of my district I am prepared to have a guard that consists of a hundred per cent. Muslims and a hundred per cent. Hindus and a hundred per cent. Anglo-Indians and a hundred per cent. Europeans and a hundred per cent. any one else. We want citizens who are prepared to do the work; it is hard work that demands not so much physique as patience, good temper and endurance.

I speak from an intimate knowledge of one district and some knowledge of other districts. In my district, amongst 400 guards we have 2 Europeans, a handful of Anglo-Indians, and a very large number of Hindus, Muslims, Indian Christians and Scheduled Castes. Europeans and Anglo-Indians have, perhaps naturally, gravitated towards other services and corps and many have gone into various branches of the Army or the supply services, as many Indians from my guard have gone. This is a personal opinion, that I regret we have not had all classes and communities happily associated in the Civic Guard. It would have been a good thing, for political and other reasons, if we could have had that. But for some reason the word "civic" in the phrase "Civic Guard" has come to be interpreted generally as Indian; yet it is a Civic Guard, a Guard of citizens for the protection of citizens. What I know of my own district may not apply to all districts, and what applies to the Civic Guard as a service may not apply to all services. With that reservation I should like to say something about the classes of people who have not done much to help.

In our district, Ballygunge, we have one retired Sessions Judge, an ornament and a very hard working ornament. We have also many Barristers and Lawyers of all classes. But in general our judges have not come forward and offered themselves for this service; yet what a stimulus it would have been to Calcutta and to the Civic Guards had our High Court Judges sallied forth at eventide, in shorts and shirts armed with short *lathis*, to do their share of protecting the city of Calcutta. What a stimulus it would have been to all the citizens; and what a profound impression it would have made upon those who are the prop and stay of the Bench—I mean the criminal classes.

In general I regret to say our young athletes of all kinds have not come into the civic services; yet they are especially suitable, and their devotion to games could have been easily adjusted with their duties or interests as citizens. There is plenty of time for games, for recreation, and for this work that is so important in this time of emergency. It is not the games that take up time and attention and energy, it is the organised games, tournaments and such like that have kept our young athletes from coming forward in large numbers. In this time of stress we all ought to be prepared to adjust our scale of values.

Then again I would say this. Not many Ministers or Parliamentary Secretaries or Leaders of Parties have come forward and enrolled in the Civic Guards. There is a handful of elder statesmen who are doing their work doughtily. Among them I may mention Mr. Griffiths of this House and Mr. Mullick, Junior, and there are one or two members, I know, who are working hard to improve matters in their own mofussil centres.

So far as my knowledge goes too few have joined from Government services, or rather shall I say from Government offices, from schools and colleges, from among journalists, and generally from among those classes which direct administration, thought and opinion, classes which, I who have all my working years belonged to them, may conveniently summarise as the mildly depraved classes. I think they could have given very many more good men; and they are the men—well educated men—who could easily be leaders among their kind. We have in Ballygunge a few guards from the Income-tax Department, making a manful effort to make amends for the lives they lead and the lives they lead us.

Then, I regret that not many of Calcutta's millionaires have come forward. As a District Commander I say I should welcome them in my area. If any come forward I promise to put out the red carpet and the brass band, for there is much that men who have resources to spare could do to help a service that has very small resources. And last may I say with regret that students have come forward in moderate numbers but not in very large numbers There are enough students in Calcutta to form a magnificent Civic Guard. But their natural desire to help in this way has been impeded and retarded by political advice. In general then Civic Guards, A.R.P. services and the like have by tacit consent among the citizens been left to the young and not very well to do.

I claim for them that with all their imperfections, with all their difficulties, they have served this city well. Many who joined at first have come and gone. Some of them honestly, that is to say, students have finished their studies and have left. Others have gone home from Calcutta with their families, and when so many have left Calcutta it is inevitable that many guards will have left among them. Many have gone on to the Army and Supply services and other services that are helping in the common effort. Some, I am grieved to say, have been seduced away or persuaded, while remaining in the guard, not to do their duties energetically. There is hostile influence. Not everyone likes to see the civic guards. A few perhaps have already taken up their occupation in our slit trenches for the duration of the war. There are faint hearts among the civic guards as among all classes of the city. But, on the whole, I say that they do their work well, with patience and endurance, and if they grumble they are

nevertheless cheerful. They seldom fail to turn out in their night patrols. It is not a small thing that Calcutta can put out every night, and has put out every night for many months, from 1,200 to 1,400 men for four or five hours a night as the city's guard. Will you please reflect on the dimensions of that effort? Guards, like other people get tired of going on week after week, month after month without rest, but they do it; they endure, they perform the duties they have pledged themselves to perform. On their hardest days these men, who command no private transport and generally cannot afford even the simplest and cheapest public transport, do morning drill, a long day at their own work, and turn out between 7 o'clock and 8 o'clock in the evening for several hours' patrol work in the streets. I say that is a great thing.

Complaints are heard about the guards just as guards complain against the citizens, and these complaints are varied. I have heard men complain that the guards are relieved from duty after midnight. Why are they not on duty in the complete blackness after 1 o'clock, it has been asked, to help members of our most select clubs find their way home after dinner? I have heard guards grumble at a Government that cannot afford to give them all the equipment they hope to get. I say "cannot afford"; I hope soon it will be possible to afford it. It can be cold in Calcutta on a November night without an overcoat. That bit of wishful thinking however is over for the present. If our guards sometimes grumble it is exactly what their fathers, their uncles and their grand-fathers did. To grumble at Government in any country is like salt to our bodies, a requisite to health.

I offer a tribute to the guards, and in a way speaking for the guards, I offer a tribute to the very keen and capable Deputy Commissioner of Police who has been put on special duty to help us. In him we have an admirable guide and helper, a man who has a gift for getting on with people. Admittedly there is confusion. There is emulation between the A.R.P. services, the civic guard services, fire services and so on. We have not yet cleared up how these different services are related to one another in the warrant of precedence. There is always emulation among the services; whether the civic guard is more important than the A.R.P. worker and whether the A.R.P. worker is more important than a fire-watcher, and the like. I do not suppose it is necessary to find an answer to these questions, but these are the things that are talked about.

With many handicaps the guards are doing good work, and in paying them my poor tribute of admiration and in paying those who are helping us my poor tribute of gratitude, I regret that for reasons beyond my control what I say about them to-day will not be read in my own paper.

**Mr. NISHITHA NATH KUNDU:** Mr. Deputy Speaker, Sir, I am not moving my motion, but I will refer to a very sorrowful and grim incident, namely, police excesses in village Narayanpur in police-station Gangarampur in the subdivision of Balurghat in Dinajpur.

**Dr. NALINAKSHA SANYAL:** On a point of order, Sir. I want to know on what motion my friend is speaking. If he is speaking on a motion it must be either on the general motion of the Hon'ble Chief Minister, which also relates to the general issue or he must confine himself to any one of the motions that have been moved. He is a very shrewd lawyer, Sir, and he will no doubt keep himself within the limits of the rules. (Laughter.)

**Mr. DEPUTY SPEAKER:** He will speak generally.

**Mr. NISHITHA NATH KUNDU:** I am doing so, Sir. (Dr. NALINAKSHA SANYAL: Why not move your motion? Come to our side temporarily.) (Laughter.) Sir, every humble member of the Progressive Coalition Party, as an essential component part of the present Government, has to share some responsibility with the Council of Ministers and also own an explanation to the people for the various acts of omission and commission of the Government.

Sir, I refer to the incident with this hope that some remedy will be given to the suffering people of that village. Sir, this incident took place over a matter, namely, a general diary entry at the instance of the local zemindar at the police-station in respect of cutting away some bamboos from the zemindar's *khas* land. In such cases generally the sub-inspector or the officer-in-charge advises the complainant to seek for remedy in the criminal court, but in this case, Sir, unlike other cases the police officer went to the locality and wanted to take forcible possession of the bamboos from the compound of private persons, and there was some altercation. There were no male members present then. The female members refused to allow the police to take away those bamboos from the private compound on the plea that the bamboos were not cut from the *khas* land of the zemindar, but were cut from their own land.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** May I rise on a point of order, Sir? I understand that the matter is *sub judice*.

**Mr. NISHITHA NATH KUNDU:** I will not refer to the case. I will only refer to the incident of the police excesses.

**Mr. DEPUTY SPEAKER:** As that is a matter pending before a court, I hope, Mr. Kundu, you will not refer to it.

**Mr. NISHITHA NATH KUNDU:** Sir, I will not refer to it. I will only refer to the later incident, namely, what the police did under the garb of an attachment proclamation for attaching the movables of those who were absconding. I will refer to cases where properties were attached of persons who were not absconding, who were already arrested and who were not even in the contemplation of the police of being arrested in connection with the former incident and who were never proceeded against up till now. The matter I am referring to is not really *sub judice*.

**Mr. DEPUTY SPEAKER:** I don't understand your point about the attachment of property. That is a matter for the court.

**Mr. NISHITHA NATH KUNDU:** What I want to refer to is this, how for the wrongs, alleged wrongs, done by one, two or three or some individuals, mass oppression is being done by the police. That requires some remedy. It may be asked——

**The Hon'ble Mr. A. K. FAZLUL HUQ:** May I point out that the honourable member is making a full statement and then he says that he is not going to refer to that?

**Mr. NISHITHA NATH KUNDU:** I am not referring to the case that is actually before the court. I am referring to other incidents.

**Dr. NALINAKSHA SANYAL:** My honourable friend is drawing attention to the police excesses only and not to such matters that may be the subject matter of discussion in the court. Sir, we would like to have this direct reference to the nature of the police oppression.

**Mr. NISHITHA NATH KUNDU:** That is not a matter before the court.

**Dr. NALINAKSHA SANYAL:** When did it take place?

**Mr. NISHITHA NATH KUNDU:** It took place in the month of January last.

**Dr. NALINAKSHA SANYAL:** During the régimé of the present Ministry?

**Mr. NISHITHA NATH KUNDU:** Yes. After receiving information about these cases and visiting the havoc personally, I sent a wire consisting of 79 words to the Hon'ble Mr. Pramatha Nath Banerjee and the Hon'ble Mr. Shamsuddin Ahmed for placing the

matter before the Hon'ble Chief Minister who is also the Home Minister. I want to formally place this matter before the House so that we may go out and say that we did our best.

**Dr. NALINAKSHA SANYAL:** What is the excess?

**Mr. NISHITHA NATH KUNDU:** On receiving information, I went to the locality and visited about 26 houses and got statements from those persons: I was not only shocked at what I saw there, but I thought if war horrors could be more shocking than what I saw there in the village! Government functionaries seem to have abdicated and the Goonda Raj prevailed. Police, zemindar's men and its supporters in the villages may be described as licensed criminals and robbed the villagers of all they had. They have taken away all the ornaments and cash by digging the floors and walls of the houses, plundered mustard seeds, paddy, rice, utensils (Dr. NALINAKSHA SANYAL: Most atrocious!), etc., damaged many household effects and crops and taken away lanterns, umbrellas, cloths, goats, cows and bullocks. They molested and assaulted womenfolk of the village. One of them went to the police-station for lodging first information report which the officer refused to record. One Nendu Sarkar of village Joydebpur who has a gun and is helping the police and the zemindar's men in this atrocious looting is alleged to have used his gun to threaten womenfolk by pointing it at them and even by pressing the muzzle of the gun on their chest.

(At this stage, the red light was on.)

Sir, may I have a minute or two more?

**Mr. DEPUTY SPEAKER:** Yes.

**Mr. NISHITHA NATH KUNDU:** They did not allow the womenfolk, children and other inmates to occupy and use their houses who were compelled to pass days and nights in the dreary winter season under the open sky. I made house-to-house visit, took down short statements from those sufferers. I cannot describe what pitiful lives they are leading. While making their statements in choked voice, they were falling at our feet enquiring if those articles would be recovered and if there would be an end to their miseries. Some of them burst into tears as they were narrating their sorrowful tale. The climax reached when two or three women told me how they were even stripped off their cloths and beaten in one case in the presence of police. One woman was dragged out from her house by a policeman who caught hold of her hair. After I had returned I met the District Magistrate of Dinajpur and——

(The member having reached the time-limit resumed his seat.)

**Mr. SIBNATH BANERJEE:** Sir, I wanted to move my motion No. 11, but it has been passed over in my absence. I would therefore like to speak on the subject.

Sir, about these watchers and the Intelligence Branch year in and year out criticisms have been levelled in this House. As long as Sir Nazimuddin was in charge of the Home Department, there was no hope of any hearing or of any redress. Now, let us see whether there is any chance of any remedy. Only in the hope that there will be some change, I am venturing to make some comments and observations to-day, as we know that the Hon'ble Mr Fazlul Huq, the Chief Minister, also holds the portfolio of the Home Department.

**Mr. SYED ABDUL MAJID:** He was also the Chief Minister in the last Government

**Mr. SIBNATH BANERJEE:** Yes, but not the Home Minister. Regarding the Intelligence Branch, I do not want to take much time of the House I would only like to say that there is lack of intelligence. When Sir Nazimuddin was there, I was arrested, being mistaken as Mr. Somnath Lahiri When I complained to him, nothing happened and I was detained for about 4 or 5 hours, illegally in the thana After all, the department thought these things happen in a big affair like this But I would like to speak about watchers What watch do they do, I don't know In front of my house, every morning, evening, noon and night, not less than four watchers are sitting all the time I think the system which was introduced by Sir Nazimuddin is still there I appeal to the new Home Minister to change it

**Mr. SYED ABDUL MAJID:** Is the system still there?

**Mr. SIBNATH BANERJEE:** Yes. I am drawing the attention of the Hon'ble Minister to change it.

**Mr. SYED ABDUL MAJID:** Will he change it?

**Mr. SIBNATH BANERJEE:** I hope so, but I would request my friend not to interrupt me like this.

Sir, I do not know what work these watchers do. Even when I come to the Assembly, I see them prowling round this Assembly House. Even when I go out with my wife and other members of my family to the Botanical Garden or the lake or cinema which occasions are very few during the year, at least two of them follow us and they are there all the time. I must honestly say that they are very tenacious. When I am tired and take a rickshaw and the rickshaw-puller starts running, the watchers also start running. In order that I may not be arrested by the Society for the Prevention of Cruelty to Animals, I ask the

rickshaw man not to go fast, so that the watchers may not be killed or run over by some motor-car. That is the position at present. There is no doubt that they are tenacious. But the difficulty is that these men are half-educated and therefore they do not understand the difference between a trade dispute or a strike and any other matter. When myself or my friends go into the labour area to enquire into genuine grievances such as dismissal or non-payment of wages or even compensation in the case of accidents, whenever any man with a clean dress goes into the labour area—this also concerns the Hon'ble Minister in charge of Labour—these watchers report and our friends are either detained or externed or interned in some out-of-the-way place. That is the experience that we have been having for the last five years. Now, let us hope that there will be some change. If the watchers are to be there to watch our movements, of course we do not mind that. We get bodyguards without paying for them. That is good. But let them be intelligent men, educated men, who know something about the trade union movement or the movement in which we are interested such as Congress or Muslim League or Hindu Mahasava. Let them not be illiterate or semi-literate If they are literate, then they can watch and understand what is going on For instance, if any worker comes to my house, and goes out, then immediately the watchers follow him and start questioning him and other men in the locality about him. The workers are thus scared away. Unless they are very bold, they do not come a second time Whenever we go into the labour area or talk with anybody or sit in any house or take tea in any shop, the watchers will go and start cross-examining them and thus scare away those people. I do not know what is the number of watchers in the department. At least, four watchers are employed to watch my movements There are many labour workers, Congress workers and others who were supposed to be or considered to be persons belonging to subversive organisation by Sir Nazimuddin. I do not know whether the Hon'ble Chief Minister also considers them to be subversive still. But I would request him to review the whole situation and to look into it, though he is a busy man. I would like to draw his attention to another fact which happened on the 20th March and in which, I think, the Deputy Speaker himself is a little interested, because the incident happened at Khulna. There we tried to organise a conference under the auspices of the Friends of the Soviet Union. Babu Pramatha Bhaumik, the organiser of this conference, who is, I think, well known to the Deputy Speaker, and many members of this House and several others, such as members of the District Students' Federation, the Secretary of the Municipal Defence Council—all these persons were arrested on the 20th under the Defence of India Rules, and they have not been given any bail and probably they will not be given bail until the conference is over. I would draw the attention of the Hon'ble Minister to this state of things.

**MAULVI ABDUL WAHED :** Deputy Speaker মহোদয়—আমি এই পুলিসের ব্যয় বরাদ্দ সম্বন্ধে তথাকথিত লীগ নামধারী আমার বন্ধুরা আজকে এই পরিষদে যে অভিযোগ উপস্থিত করেছেন, সংক্ষেপে দু' একটী কথায় তার জবাব দেওয়ার জন্য দাঁড়িয়েছি। গত সাড়ে চার বৎসর এই সকল দোষ ত্রুটি সম্বন্ধে আমরা সরকার বিরোধী দলে থেকে এই সকল দাবী করেছিলাম এবং তখন স্যার নাজিমুদ্দিন পরিচালিত হোম ডিপার্টমেণ্ট সেই দিকে অন্ধের মত সেই সব দাবীকে উপেক্ষা করে ভোট দিয়েছিলেন। আজ তারা মণিহারা ফণীর মত হয়ে—আজ তাদের নেতা স্যার নাজিমুদ্দিন মণিহারা ফণীর মত যেখানে সেখানে যাকে তাকে যেভাবে সেভাবে দংশন করছেন এবং সঙ্গে সঙ্গে তারা পূর্ব্বে যে সব কাজ করেছেন, তা চাপা দেবার জন্য আজ এই সব বলছেন।

বাঙ্গালী অবাঙ্গালী প্রশ্ন সম্বন্ধে আমি জিজ্ঞাসা করতে চাই যে যখন কো-অপারেটিভ্ রেজিষ্ট্রার নিযুক্ত করা হয়, তখন আমাদের হক সাহেব ত B. C. S. বাঙ্গালীকে দেওয়ার জন্য জেদ করেছিলেন এবং তথাকথিত লীগ নেতা স্যার নাজিমুদ্দিন অবাঙ্গালী আই, সি, এস্‌কে দেবার জন্য জেদ করেছিলেন কিনা এবং সেই জেদ কার্য্যে পরিণত হয়েছিল কিনা। (protest– মিথ্যা কথা) মিথ্যা নয় সম্পূর্ণ সত্য কথা। আজ আমি বলতে চাই—এই প্রসঙ্গে আমার মনে এমন ২।১টী প্রশ্ন জাগ্রত হচ্ছে যে কথা না বলে পারছি না। যারা পুরুষানুক্রমে রাজপুরুষদের পদলেহন করে এসেছে, তারা আজকে—প্রকৃত খাজা নয়, ঢাকার উপখাজার দল—যারা পুরুষানুক্রমে রাজপুরুষদের পদলেহন করেছেন এবং রাজপুরুষ ও রাজপ্রতিনিধিদিগকে সন্তুষ্ট করতে গিয়ে প্রকাশ্য দরবারে নিতান্ত ইশ্লামধর্ম্ম বিরোধী ও মুসলমান সমাজের নীতি বিরোধী এবং কলঙ্ককর, আপত্তি-জনক নাটকীয় অভিনয় করতে বিন্দুমাত্র দ্বিধা বা সঙ্কোচ বোধ করে নি তারা আজকে হঠাৎ অপজিসনে গিয়েছেন কেন? আমি বলছি আজ যে দোষ তারা আমাদের উপর আরোপ করছেন এবং তাদের ইঙ্গিতে চতুর্দ্দিকে যে সমস্ত দোষ আমাদের উপর আরোপ করা হচ্ছে, প্রকৃত পক্ষে তারাই সে দোষে দোষী। আমার মনে হয় আজ তারা এখন স্বপ্ন দেখছেন যে পুরুষানুক্রমে আমরা যে রাজাচরণ সেবা করে এসেছি, আজকে বুঝি সেই রাজাচরণ যায় যায়; অপর দিক থেকে হলদে চরণ আসবে আশায় সেই হলদে চরণকে সেবা করবার জন্য, তার জন্য জায়গা করবার জন্য, রাস্তা প্রস্তুত করবার জন্যই আজ তারা অপজিসনে গিয়েছেন। প্রকৃতপক্ষে বর্ত্তমান মন্ত্রীদের বিরোধিতার জন্য অপজিসনে তারা যান নাই। কাজেই আমার বলবার কথা হচ্ছে এই যে তারা যে এই সকল কথা, এই যে পুলিস সম্বন্ধে যে অভিযোগ করছেন—স্যার নাজিমুদ্দিন এই সাড়ে চার বৎসর যে ভাবে চাকা ঘুরিয়েছিলেন, সেই বেগ এখনও থামান যাচ্ছে না। সেই বেগে এখনও চাকা চলছে। আমার বাবা বলতেন "দাদার পেয়াদা দাদাকে কিলায়"। এই দাদার পেয়াদার কিল তারা খাচ্ছেন। তাই তারা চেঁচামেচি করছেন। আর একটা কথা বলতে চাই। আমার এক বন্ধু বলেছেন যে শ্যামাপ্রসাদের বাহন হয়েছেন হক্ সাহেব। তা নয়। হক্ সাহেব সাড়ে চার বৎসর খাজা দুর্গে বন্দী ছিলেন। আজ খাজা দুর্গ ভেদ করে বের হয়ে এসেছেন। শুধু তাই নয় খাজাকে প্রজার দুর্গে বন্দী করেছেন। তাই আজ তারা চেঁচামেচি আরম্ভ করেছেন। তথাকথিত লীগ নেতা উপখাজার দল,

লাউ ছিম প্রভৃতি উপগাছ যেমন প্রকৃত গাছকে ঢেকে নিজের অস্তিত্ব প্রকাশ করে, ঠিক তেমনি উপ-খাজারা প্রকৃত খাজাকে গদী-চ্যুত করে নিজেদের অস্তিত্ব প্রকাশ করতে যেয়ে অপারগ হয়ে এবং নিজেরাই আজ গদী-চ্যুত হয়ে মণিহারা ফণীর ন্যায় যেখানে সেখানে যাকে তাকে দংশন করতে আরম্ভ করেছেন।

**Dr. ABDUL MOTALEB MALIK :** মাননীয় সভাপতি মহোদয়! পুলিশের খাতে ব্যয় বরাদ্দ আরও বেশী হওয়া উচিত ছিল; লাঠি চার্জ বা বন্দুকের ব্যবহারের জন্য নয়, আমাদের রক্ষা করার জন্য। যুদ্ধের দরুণ যে পরিস্থিতির উদ্ভব হয়েছে তা অতি গুরুতর। আমি প্রমাণ স্বরূপ বলতে চাই বাজেটের ৮০ পৃষ্ঠায় পুলিশের excess expenditureএ কন্‌ষ্টেবলদের এবং গোটা পুলিশের বরাদ্দ যা করা হয়েছে সেটা শুধু কলিকাতার জন্য করা হয়েছে। মফঃস্বলে এখান থেকে যারা যাচ্ছেন তাদের কাছে শোনা যাচ্চে এর মধ্যেই সেই সমস্ত জায়গায় লুটপাট আরম্ভ হয়েছে। উদাহরণ দিই—অতি অল্পদিনের কথা, চট্টগ্রামের হালিসহর এবং পতেঙ্গা থেকে যখন লোক সরানর হুকুম হ'ল তখন (যদিও গভর্ণমেণ্টের খাতায় লেখা আছে তাদের ৩ দিন সময় দেওয়া হয়েছিল) তাদের সন্ধ্যাবেলায় বলা হয়েছিল সকালবেলা গ্রাম ছেড়ে চলে যেতে হবে, সকাল ৮টার সময় মিলিটারী এসে ঐ গ্রাম occupy করবে। সেই সময় যত গৃহস্থ পরিবার গরীব কৃষক-প্রজা তাদের দুর্দ্দশার অন্ত ছিল না। পরের দিন সকালবেলা পুলিশ বললে ১ ঘণ্টা সময় আছে, তোমরা চলে যাও। তারা চ'লে যেতে বাধ্য হয়েছিল এবং অনেকে তাদের মূল্যবান জিনিসপত্র নিয়ে যেতে পারেনি, পরে নিয়ে যাবে ভেবে তারা অন্যত্র তাদের মেয়েদের নিয়ে সরে যায়। কিন্তু পরে যখন ফিরে জিনিসপত্র নিতে এল তখন দেখে অনেক জিনিস লুটপাট হয়ে গেছে। অনেকের ধান, শস্য এবং অন্যান্য মূল্যবান জিনিস, এমন কি গরু বাছুর পর্য্যন্ত লুটপাট হয়ে গেছে। এমনও শোনা গেছে, এবং আমি সেই জায়গায় তদন্ত করে জেনে এলাম যে কোন কোন বাড়ীতে পুরুষ নাই, মেয়েরা গাড়ী করে কোথাও যাচ্ছে, পথিমধ্যে কোন মেয়ের প্রসব বেদনা উপস্থিত হওয়ায় তার শাশুড়ী পাশের গ্রামে নিয়ে যায় এবং ফিরে এসে দেখে যে গাড়ীতে জিনিসপত্র নিয়ে যাওয়া হয়েছিল সে গাড়ী কোথায় চলে গেছে। এ বিষয়ে সেখানে ডিষ্ট্রীক্ট ম্যাজিষ্ট্রেট ও এডিশনাল ডিষ্ট্রীক্ট ম্যাজিষ্ট্রেটের সঙ্গে কথা বোলে জানতে পারলাম যে সে সময় পুলিশের ঠিক নিয়মমত যে রকম সাহায্য করা উচিত ছিল এবং তাদের জিনিসপত্র গ্রাম থেকে নিয়ে যাবার অবসর দেওয়া উচিত, সে ব্যবস্থা করা হয় নি। কাজেই emergency work বলে পুলিসের ব্যয় বরাদ্দে যে কিছু দেখান হয়েছে, সে শুধু কলকাতার জন্য। আমার মনে হয়, মফঃস্বলের পক্ষে সেটা মোটেই প্রযোজ্য নয়। তা ছাড়া যে সমস্ত evacuees বর্ম্মা থেকে এসেছে, তাদের কাছ থেকে প্রত্যেক দিন খবর পাচ্ছি সেখানে লুণ্ঠন, দস্যুবৃত্তি, তস্করবৃত্তি এবং অন্যান্য অত্যাচার বেশী হয়েছে। আমাদের দেশে দুর্ভাগ্যক্রমে যদি এমন দিন আসে, তাহলে এমন কোন ব্যবস্থা করা হয়েছে কি না, যার দ্বারা আমাদের নিরাশ্রয় পরিবারবর্গকে রক্ষা করতে পারব!

Civic Guardএর কথা বলতে গেলে বলতে হয় সে এক পরিহাস। ঢাল নেই তলোয়ার নেই নিধিরাম সর্দ্দার কিম্বা যাকে বলে, ঢাল নেই তলোয়ার নেই

খাবুচি মারেছে। তিন হাত লাঠি দেওয়া হয়েছে। তার আগে না আছে সড়কী, না আছে বল্লম। আমরা জানি জাপান যখন Malay অধিকার করলে—তার আগে Government অনেক Civil populationকে free use of guns দিয়েছিল। এখানে এ সমস্ত কিছুই করা হয় নি। এই সমস্ত Civic Guardএর এমন শিক্ষা নেই, এমন কোন শক্তি নাই, তার ব্যবহারের অস্ত্র কিছুই নাই যে এই অবস্থায় যদি আমরা আক্রান্ত হই, তাহলে আমাদের রক্ষা করবার ত কোন ব্যবস্থাই করা হয় নি। এবং সেই যে লাঠি, সে লাঠি শিক্ষা দেওয়ারও কোন ব্যবস্থা হয় নি। যদি বুঝ্‌তাম যে তাহারা লাঠি ভাল শিখ্‌ছে, তাহলেও অনেকটা নিশ্চিন্ত থাক্‌তাম।

তারপর যেসব evacuees বর্ম্মা থেকে বাংলার মাটিতে এসে পৌঁছেছে—চট্টগ্রামে এসে পৌঁছেছে—আমি দুঃখের সহিত জানাতে চাই, তাদের সেখানে preferential treatment দেওয়া হয়েছে। প্রথমে European ladies, তারপর Anglo-Indian ladies তারপর Officers' wives, তারপর Europeans, Anglo-Indians এবং তারপর দেওয়া হয়েছে Indiansদের।

**Mr. KAMAL KRISNA ROY :** Deputy Speaker, Sir, পুলিশের ব্যয় বরাদ্দ সম্বন্ধে বৎসরের পর বৎসর যে আলোচনা হয়, সেই আলোচনার সামান্য কিছু করতে গেলেও এত বেশী সময় লাগবে যে এই নির্দ্দিষ্ট সময় মধ্যে তার চেষ্টা করা বৃথা। শুধু এইটুকু বল্‌তে চাই। প্রথমেই যে কথা মনে পড়ে—সারা জীবন, ইচ্ছায় হোক, অনিচ্ছায় হোক পুলিশের সঙ্গে দস্তুরমত মহরম অনেক সময় অনেক ক্ষেত্রে করতে হয়েছে বলেই আজ বলছি পুলিশেরই প্রেম—নিকষিত হেম, ঘষিতে উজল হয়। পুলিশের কার্য্যকলাপ, তাদের কীর্ত্তিকাহিনী বলে শেষ করা যায় না। পুলিশের দুঃখের কাহিনী, অত্যাচারের কাহিনী, অনাচারের কাহিনী, তার দুর্নীতির কাহিনী বলতে গেলে পর বল্‌তে হয় যা সেই পৌরাণিক উপাখ্যানে দেখা যায় একদিন যেমন মহাদেব শিব, আগম, পুরাণ, বেদ, পঞ্চতন্ত্র পাঁচ মুখে বর্ণনা করে ছিলেন সেইরূপ এই পুলিশের বিভিন্ন কাহিনী বল্‌তে গেলে পর যেমন "আগম, পুরাণ, বেদ, পঞ্চতন্ত্র কথা, পঞ্চমুখে পঞ্চমুখ কহেন উমারে", সেইরকম আমরা এই পরিষদের ২৫০ জন member ২৫০ মুখে যদি বর্ণনা করতে যাই, তার মহাভারতের মত কতগুলি যে মহাভারত রচিত হবে, তার অন্ত নেই। যাক, এই নিয়ে আর বেশী বলব না। প্রথমেই আমি মাননীয় মন্ত্রীমহোদয়কে অনুরোধ করব যে এই পুলিশের অনাচার, অত্যাচার সম্বন্ধে যদি সত্যিকার তিনি সংশোধন আনয়ন করতে চান তাহলে আমি যে কটা আমার জীবনের বিভিন্ন সময়ে ও ক্ষেত্রে অভিজ্ঞতা লাভ করেছি, সে কটা বলব। প্রথম কথা হচ্ছে এই অনাচার, অত্যাচারের মূলে আছে কি? পুলিশ বিভাগের যে উদ্দেশ্য সেই উদ্দেশ্য I. G. থেকে আরম্ভ করে চৌকিদার পর্য্যন্ত জানেনা এই বিভাগের উদ্দেশ্য কি। পুলিশ যে শাসক সত্যিকার নয়, পুলিশ যে দেশের লোকের মঙ্গলের জন্য, সমাজের সত্যিকার শৃঙ্খলা এবং শান্তিরক্ষার জন্য আছে এই কথা তাদের বুঝিয়ে দেওয়া প্রয়োজন। যে মুহূর্ত্তে পুলিশ বিভাগে চাকরি নিল, সে যত ছোট চাকরিই হোক বা যত বড়ই হোক

তাদের ধারণা হল যে তারা এই দেশের শাসক। তারা যা বল্‌বে, যা কর্‌বে, তাই হবে। তাদের উপর এমন কেহ নেই যে তাদের অনাচার বন্ধ কর্‌তে পারে। তার কোন উপায় নেই। প্রথম অনাচার সৃষ্টি হয় গ্রামের মাঝে দারোগার কাছে। দারোগার Case record করা নিয়ে সেটা সুরু হয়। আমি এখানে একটা গঠনমূলক বা constructive suggestion দেব যে এই দারোগাদের ক্ষমতার ক্ষেত্র সীমাবদ্ধ করা উচিত। যে কেহ আস্‌বে, আর একটা Case record হয়ে যাবে, তা না করে, সেটা record করার সম্বন্ধে যখনই গ্রামের লোক আস্‌বে, সেই গ্রামের বিশ্বস্ত ভাল লোকের কাছ থেকে ভাল করে জান্‌তে হবে। না জেনে কোন রকম Case যেন record করা না হয়। পুলিশ departmentএ যে অনাচার দৃষ্ট হচ্ছে তা রোধ করতে হলে আমি বল্‌ব, গ্রামে, থানায়, সহরে এবং প্রদেশে বে-সরকারী বিশ্বস্ত প্রতিষ্ঠানের সঙ্গে সহযোগিতা কর্‌তে হবে। পুলিশের, সমাজের শান্তি শৃঙ্খলা রক্ষার জন্য যা কিছু কাজ করা দরকার তা যেন বেসরকারী বিশ্বস্ত প্রতিষ্ঠানগুলি অনুমোদন করবার পর করা হয়। আমি অবশ্য জানিনা কতটুকু আর সময় পাব। বর্ত্তমান যে অবস্থা সেটা বলেই আমার বক্তব্য শেষ করব। পুলিশের অত্যাচার, অনাচার তা দিনের পর দিন বৃদ্ধিপ্রাপ্ত হয়ে চলেছে। এর উপর হয়েছে বর্ত্তমানে যাকে বলে গোদের উপর বিষ ফোঁড়। এক আছে পুলিশ, এর উপর আবার হয়েছে Civic Guards. Civic Guard বলতে আমার মনে পড়ছে ১৯২২ সালের কথা। সেই সময় যে একটা আন্দোলন হল, সেই কংগ্রেসের আন্দোলন বন্ধ করবার জন্য Civil Guardsএর সৃষ্টি হল। Civil Guardsএর সৃষ্টির সঙ্গে সঙ্গে আমরা এই গানটা গেয়ে বেড়াতাম।

"কে বলে, আমরা লেডা গোপ্‌চার, আমরা evil Guard
অরাজক এই মগের মুলুকে আমরা উদ্‌মো ষাঁড়।"

এই Civic Guard সম্বন্ধে সত্য সত্যই ভাল recruitmentএর অভাবে, training অভাবে, তাদের culture বা কৃষ্টির অভাবে এমনি ধারণা অনেকের মনে এসেছে যে Civil Guards, Civil না হয়ে evil Guard হয়েছে। উদ্‌মো ষাঁড়ের কথা আপনারা অনেকে জানেন। বিশেষ করে, এই সব উদ্‌মো ষাঁড়ের সৃষ্টি হয়েছে হিন্দু সমাজের শ্রাদ্ধ ব্যাপারে। ধর্ম্মের ষাঁড় রাখবার পর সেই ষাঁড় যখন মাঠে ফসল খেয়ে বেড়ায় বা নানা অনাচার অত্যাচার করে, সেই ষাঁড়কে কিছু বলবার উপায় নেই। তেমনি পুলিশ বিভাগে এই রকম দেশবাসীর শ্রাদ্ধে দাগা ষাঁড় যারা বেরিয়ে গেছে, তারা যতই অনাচার অত্যাচার করুক, কাহারও কিছু বলবার জো নেই। মন্ত্রীমহাশয়কে আমি বল্‌ব এই উদ্‌মো ষাঁড়গুলির দাগ তুলে নিয়ে সত্য সত্য দেশের উপকারে, চাষবাসের কাজে ষাঁড়গুলিকে যেমন লাগান হয়, তেমনি সমাজের শৃঙ্খলা শান্তি বজায় রাখবার জন্য এই পুলিশ রূপী ষাঁড়গুলির দাগ যেন তুলে নেন।

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, I am well aware that no discussion of the annual budget can be said to be complete without a sweeping and an all-round denunciation of the police, the Police Department and the officers of the Police Department, particularly, the

Commissioner of Police, Calcutta, the Inspector-General of Police and that unfortunate creature called the Minister in charge of Home Department. Sir, these criticisms about police and police administration have been going on ever since the dawn of political sense in this country and a big literature has grown up on this subject. But I am not afraid of meeting these allegations because I find that in the replies that have been given to these charges by Members of the Executive Council and Ministers from time to time there is a treasure of well-informed and succinct criticisms of the remarks that are levelled against the police, which I hope will stand in good stead to me to-day. Particularly, Sir, I find that during the last four years when practically all these charges were brought up against the police in this very House my esteemed predecessor Sir Nazimuddin in the course of replies to these debates has left for me a treasure house of information and a detailed and well-informed criticism of the manner in which charges are thoughtlessly levelled against the police. The speeches of Sir Nazimuddin on Police Budget debate are the specimens of thoroughness, directness and precision of language to which I do not venture to lay any claim. I will humbly refer to his replies as my replies on the present occasion, and I do not pretend that I will be able to improve on what he has said in answer to these very allegations. I will humbly accept his language as mine, his replies as mine, and I will take shelter under the manner in which he has met these criticisms, and I will humbly request, particularly the Muslim members to my left, to refer to those debates and to take light and inspiration from the utterances of their esteemed leader. Now, Sir, I am coming to some of the allegations in detail. Sir, although the criticisms of the police and the Police Department are almost monotonous and lacking in variety, it is pleasant to note that those very members who are now the loudest in their complaints against the police used to walk very meekly like lambs into the Government lobby in support of the police when charges used to be levelled against them during the last four years.

**Khan Bahadur MOHAMMED ALI:** What about those who used to oppose and now go meekly?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I am consistent, because I am opposing all the motions during the last five years. (Laughter.)

**Khan Bahadur MOHAMMED ALI:** On a point of personal explanation, Sir. I criticised neither him nor his Government nor his policy. My criticism was directed entirely to the sergeants, their equipment and the manner in which they behave with the Indian public and in regard to the collection of fund to the poor box which is

spent for European and Anglo-Indian charities. I confine my remarks only to these points, and I hope the Hon'ble Minister will take note of this.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I will take up my friend's criticisms while I will come to that particular motion. Now, Sir, Mr. Mohammed Ali's motion No. 2 is about Indianisation of the posts of sergeants of the Calcutta Police. If there is any reason for complaint I only want to point out that I am now dealing with the sins of generations of Home Ministers and Home Members, and it is not possible for me to Indianise in one single night a branch, a responsible branch of public service. The question of amalgamation of the cadre of sergeants with that of sub-inspectors has been considered in the past in order to admit Indians to this combined cadre, but this has not hitherto been found possible. One reason amongst others is that a compact body of European sergeants in Calcutta or elsewhere gives a sense of security to the various sections of the Indian community particularly in times of communal distress. European sergeants are also considered to be very useful where the police have to deal with Europeans and other non-Indian nationalities. It is interesting to note that the province of Bombay which decided to stop the recruitment of sergeants in 1939 has resumed it now owing to the conditions created by the war.

Now, Sir, coming to motion No 4 of my friend Mr. Mohammed Ali I can only say that the accusation is so very vague that it is not possible for me to deal with it unless specific cases are cited, but I can admit that cases do arise in which members of the police force are found to be lacking in a sense of courtesy and civility to the public. Whenever specific cases are brought to the notice of the Commissioner of Police, I am authorised to say, although I cannot go into details, that these cases are always very carefully enquired into and (Khan Bahadur MOHAMMED ALI: "Question.") if there is the slightest suspicion of lack of courtesy on the part of the police, although there may not be materials for prosecution in Court, the officer concerned is departmentally dealt with.

I now come, Sir, to motion No. 5 of my esteemed friend Khan Bahadur Mohammed Ali. That is about the collection of funds for the poor box maintained by the Calcutta Police. A poor box fund has been started by the Calcutta Police with the object to provide relief to the needy and the distressed in Calcutta. The fund is administered by the Commissioner of Police and the Deputy Commissioner of Police, Headquarters, and is audited each year by the Accountant-General, Bengal. The receipts of the fund consist of voluntary contributions made by the public, charges realised by police for keeping in their custody the properties made over to them by the carters, etc., when

they are unable to find out the owners thereof and contribution made by contractors for erecting stands on the maidan. (Khan Bahadur MOHAMMED ALI: Voluntary or under threat of prosecution.) This is an accusation to which I shall give no reply, but I can assure the honourable member that I will bring this to the notice of the Commissioner of Police and if there is any room for improvement in the administration of this fund I can assure him that the Commissioner of Police will immediately take necessary steps.

I now come to motion No. 3 of Mr. Harendra Kumar Sur. This is a comprehensive charge, and I wish to put before the House the additional duties that have been imposed on the police whose number has been increased for duties connected with the present emergent situation, and the police are being supplemented by voluntary organisations. The additional duties imposed on the police are briefly these—

(1) Prevention of disorder due to apprehended general unrest.

(2) Protection of factories and workshops engaged on work of national importance.

(3) Protection of oil installations, petrol depôts, electric power stations, aerodromes, wireless stations, port, docks, etc.

(4) Relief of troops employed for guarding vulnerable points.

(5) Protection of railway bridges and post and telegraph offices.

(6) Prevention of infiltration of fifth columnists.

(7) Intelligence system on the political and general activities.

(8) Commandeering of motor vehicles and motor drivers in Calcutta.

(9) Aids to movement of traffic during black-outs.

(10) Control of civil population on panic, evacuation from cities, etc.

(11) Duties in connection with lighting restriction, A. R. P. and other Civil Defence purpose.

Now as regards the extent to which police are being supplemented, Civic Guard organisations have been set up in Calcutta and mufassal districts; their principal functions are—

(*i*) to assist the regular police, and

(*ii*) to work in close touch with A. R. P. organisations in maintaining and enforcing order during black-outs and air raid alarms. The number of civic guards enrolled up to the 1st February, 1942, was 5,406 in Calcutta and 8,519 in mufassal districts.

Besides these there are special constables and the assistance of special constables may also be counted upon in times of an emergency. This is a very useful voluntary organisation and the members are enrolled under the Police Acts.

I now come to motion No. 6 of my friend Mr. Sur. Here, Sir, I may say that the charge of the increased expenditure and top-heavy character of the administration without any corresponding improvement, etc., is rather vague, and although I admit that there is room for criticism on this score, it is not possible for me to give a detailed reply.

Then I come to the motion moved by my friend Mr. Abul Hosain Ahmed about police administration. Sir, here again the charges are extremely vague. When the honourable member was delivering his speech, I could not follow what he thought. It possibly consisted of personal remarks on me, but so far as the police are concerned, it is difficult for me, as I have said, to give a reply to a general statement of the character as I notice in the cut motion that has been tabled.

Now, Sir, I come to my friend Mr. P. Banerji's motion No. 8. Here again the accusation is of a general character. Failure of police to check thefts and burglaries is one of the usual charges, but I would ask the honourable member to remember that it is not possible for the police to be able to detect all thefts and burglaries in the province All that they can claim to do is to do their best and to discharge their duty to the best of their ability and power. I was reminded of one incident to which I referred in one of my speeches, but that kind of police officers is fast disappearing. We are having a better class of police officers who are very reliable, trustworthy and honest.

Then, Sir, I come to my friends Mr. Serajul Islam and Dr. Abdul Motaleb Malik, both of whom have raised the point about cinemas. I have not much to say on this point, but I wish to state for the information of the House how this department is working. Before films are certified as suitable for public exhibition, they are examined by a Provincial Board as provided under section 7(*1*) of the Cinematograph Act. Films certified by one Provincial Board may be examined by other Provincial Boards under section 7(*4*) of the Act. Only films certified by a Board as suitable for public exhibition can be exhibited.

Again, certified films can be exhibited only in places licensed under section 3 of the Act under certain conditions. These conditions adequately provide for fire precautions, overcrowding, ventilation, film storage and appointment of qualified operators. The proprietors of cinema houses are also to adhere strictly to all building or other regulations imposed by the municipal by-laws or any other law for the time being in force. The licensing authorities have been advised not to issue licenses for cinema performances in any building in close

proximity to any place of worship. Government are further opposed to construction of cinema houses in residential quarters and *bustee* areas.

I now come to my friend Mr. Mirza Abdul Hafiz, motion No. 12. Sir, I have listened with some interest to the statement made by my friend about the paucity of Muslims in the Criminal Investigation Department and District Intelligence Branches. There is no doubt that the representation of Muslims in these departments is very inadequate, but it must be remembered that the number of Muslims in the Criminal Investigation Department depend on the fact that no direct recruitment is made to the Criminal Investigation Department or the District Intelligence Branch. These are manned by transfer from the general cadre. The communal ratio rules are not expected to apply to the Criminal Investigation Department and District Intelligence Branches because these are manned by men belonging to the general cadre. At the same time I realise that strict attention should be paid to the maintenance as far as possible of the communal ratio, and to this extent I promise to look into the matter and to see if steps can be taken without impairing the efficiency of the services to secure an adequate representation of the members of my community.

Sir, I now come to motion No. 13 moved by my friend Dr. Nalinaksha Sanyal. Here I am rather nervous and whenever I happen to see any motion that is brought before the House by my friend Dr. Sanyal I am very anxious to deal with it and try to meet him as much as possible. As regards civic guards, my friend knows more than I do the manner in which enrolments are made. Application for enrolment as a member of the civic guard is made to the Group Commander of the area within which the applicant resides. The Group Commander after giving an interview to the candidate forwards the application to the Commissioner of Police in Calcutta or the District Magistrate outside Calcutta. The District Magistrate or the Commissioner of Police, as the case may be may, in his discretion, refuse or accept any particular recommendation for nomination to civic guard.

Civic guards are given instructions in drill and physical training by the staff of the Special Armed Force under the close supervision of the Armed Inspector. They are made acquainted with their powers and privileges by Court Inspectors and Court Sub-Inspectors. The assistance of "Buchanan trained" instructors is also utilised for giving physical training to members of the civic guard. Care is taken to train the officers so that they may in their turn become instructors.

The civic guard organisation is a voluntary one and is open to all persons irrespective of caste and creed. The service in the civic guard is ordinarily unpaid. The Provincial Government may however determine the allowance for expenses to be paid to members of the civic

guard when called out on duty. The strength of the guards including officers enrolled up to the 1st of February 1942 was 5,406 in Calcutta and 8,519 in the districts.

Sanction has been accorded to the grant of allowances at the rate of Re. 1 a day for the officers and annas 6 a day for the members when called out on duty for more than two hours in a day. The allowance will be increased to annas 12 a day to each civic guard when called out on duty during air raids, irrespective of the duration of duty.

Officers provide their own uniform. Members are provided with one pair of shorts, one shirt and one topee at the cost of Government. Badges and brassards are also provided at the cost of Government.

Sir, I may mention that proposals are being prepared for the reorganisation of the civic guards which will include considerations of their training allowances, their increase of uniform charges and employment of Buchanan trained men as adjutants to district commanders.

Now, my friend Dr. Sanyal has asked me to consider the question of the revision of the method of selection of civic guards. He says that undesirable persons are sometimes selected. It is possible. As regards the revision, as the matter is of very great public importance, I would earnestly request my friend to let me have some suggestions as to how he wants me to proceed. I am quite willing to collaborate with him and find out whether there are any means possible for revision of the method of enrolment and for instructions to be given to these civic guards in order that they may be really useful in times of emergency. Now, Sir, my friend, Dr. Sanyal, has also asked me to take steps for the organisation of a committee to maintain communal peace and harmony. It is a very important subject even in normal times and at all times, and it is of special importance at a time like this when we are all faced with a common danger. I may mention to this House that the committee for the promotion and maintenance of communal harmony is one of the main planks in our political platform, and it is one of the most important items in our programme. We hope we will be able to take steps to organise this committee in the very near future, and when we really set ourselves to take up the task, I sincerely hope my friends will give us their suggestions. They will be consulted and consulted for the purpose of giving us light and instruction as to how to proceed with work of such national importance, and we shall certainly try to work on the basis of the instructions given.

**Dr. NALINAKSHA SANYAL:** What about arming the civic guards and about their equipments?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** That is a question about which it is not quite possible for me to say anything definite now because it trenches upon the powers and the privileges of the military.

The matter is being considered, but up till now we have not received any satisfactory response. I realise that a large number of unarmed civic guards in times of stress and emergency may become practically useless for purposes for which they are intended. We are in negotiation with the military authorities; I am not in a position at the present moment to say how the negotiations will end, but we will do our very best in the matter.

As regards my friend Mr. Nishitha Nath Kundu I say nothing. The case will be tried in court and at the present moment if I were to say anything, I would be interfering with free administration of justice. After the case is over, if there is anything which should be considered by Government, the honourable member may rest assured that we will take steps to bring facts to the notice of the authorities who have to deal with such matters and that steps will be taken to give redress, if redress is actually required.

I do not wish to take up the time of the House by entering into a detailed discussion of the other points that have been raised. In the year 1937 when a violent attack was made on the Police Department, I made a statement to this House that I could say from personal knowledge that the morale of the police force had considerably improved and that the police force at the present time in Bengal are a much more improved body of public servants than that they used to be in the past. The reason is that at the present moment educated men are taking service in the Police Department and that the pressure of public opinion and various other causes have introduced reforms which it would be impossible for Government to introduce. After all, a man's moral fibre and moral inclinations are the best safeguards against anything which is in violation of the rules of law or of society. I hope and trust that honourable members of this House, while doing their very best to bring to light any delinquency on the part of the police, will also combine with the authorities in improving the morale of the police force and in improving the manner in which they have been discharging their duties which, in many cases, it is difficult to discharge. In their criticisms they should remember that the best way to bring about reforms is to temper criticisms with the just appreciation of the good work they have always been called upon to do. After all, they are our countrymen and they deserve our sympathy. And I can only conclude with the desire to discuss this matter in the Assembly not merely from the point of view of an appreciation of the importance of the Police Department but also from the point of view of the fact that it is the duty of the Government not merely to see that the police force is efficient, honest and dependable but also to see that far from being a protection to the people the police force must not become a regular nuisance as they formerly used to be. I hope the House will not accept the motions for reduction in the Police grant, but will accept my main demand.

The motion of Khan Bahadur Mohammed Ali that the demand of Rs. 2,30,18,000 for expenditure under the head "29—Police" be reduced by Rs. 100 was then put and a division taken with the following result:—

**AYES—50.**

Abdul Aziz, Maulana Md.
Abdul Hafiz, Mr. Mirza.
Abdul Hakim Vikrampuri, Maulvi Md.
Abdul Hamid, Mr. A. M.
Abdul Latif Biswas, Maulvi.
Abdul Metalib Malik, Dr.
Abdulla-al Mahmood, Mr.
Abdur Rahman, Khan Bahadur A. F. M.
Abdur Raschid Mahmood, Mr.
Abdur Rasheed, Maulvi Md.
Abdur Shaheed, Maulvi Md.
Abul Hashim, Maulvi.
Abul Hossain Ahmed, Mr.
Ahmed Ali Mridha, Maulvi.
Ahmed Hossain, Mr.
Aulad Hossain Khan, Khan Bahadur Maulvi.
Banerjee, Mr. Sibnath.
Banerji, Mr. P.
Das, Babu Radhanath.
Das Gupta, Dr. J. M.
Datta, Mr. Dhirendra Nath.
Dolui, Mr. Harendra Nath.
Dutta, Mr. Sukumar.
Fazlul Quadir, Khan Bahadur Maulvi.
Fazlur Rahman, Mr. (Mymensingh).
Gupta, Mr. Jogesh Chandra.
Hafizuddin Choudhuri, Maulvi.
Hamiduddin Ahmed, Khan Sahib.
Hafizuddin Ahmed, Maulvi (Tippera).
Maiti, Mr. Nikunja Behari.
Maniruddin Akhand, Maulvi.
Mohammed Ali, Khan Bahadur.
Muhammad Israil, Maulvi.
Muhammad Siddique, Khan Bahadur Dr. Syed.
Mukerji, Mr. Dhirendra Narayan.
Mukherjee, Mr. B.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Nasarullah, Nawabzada K.
Nazimuddin Khwaja Sir, K. C. I. E.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Sahebe-Alam, Mr. Syed.
Sanyal, Dr. Nalinaksha.
Sen-Gupta, Mrs. Nellie.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja, C. B. E.
Suhrawardy, Mr. H. S.
Sur, Mr. Harendra Kumar.
Yusuf Ali Choudhury, Mr.

**NOES—104.**

Abdul Hafiz, Mr. Mia.
Abdul Hakeem, Mr. (Khulna).
Abdul Hakim, Maulvi (Mymensingh).
Abdul Kader, Mr. (alias Lal Miah).
Abdul Majid, Maulvi (Mymensingh).
Abdul Wahab Khan, Mr.
Abdul Wahed, Maulvi.
Abdur Razzak, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazl, Mr. Md.
Ahmed Ali Sangatpuri, Khan Bahadur Maulana.
Ahmed Khan, Mr. Syed.
Amiaullah, Khan Sahib Maulvi.
Asimuddin Ahmed, Mr.
Azhar Ali, Maulvi.
Badruddoja, Mr. Syed.
Banerjee, the Hon'ble Mr. Pramatha Nath
Banerji, Mr. Satya Priya.
Barat Ali, Mr. Md.
Barma, Babu Prombari.
Barma, Mr. Puspajit.
Barman, the Hon'ble Mr. Upendra Nath.
Basu, the Hon'ble Mr. Santosh Kumar.
Bhowmik, Dr. Gobinda Chandra.
Biswas, Babu Lakshmi Narayan.
Biswas, Mr. Rasik Lal.
Biswas, Mr. Surendra Nath.
Chakrabarty, Babu Narendra Narayan.
Chippendale, Mr. J. W.
Clark, Mr. I. A.
Das, Rai Sahib Anukul Chandra.
Das, Rai Sahib Kirit Bhusan.
Das, Mr. Manmohan.
Das Gupta, Babu Khagendra Nath.
Das Gupta, Srijut Narendra Nath.
Dutta Gupta, Miss Mira.
Dutta Mazumdar, Mr. Nibaranda.
Edber, Mr. Upendranath.
Emdadul Haque, Kazi.
Fazlul Haq, the Hon'ble Mr. A. K.
Ghaznuddin Ahmed, Mr.
Golam Rabbani Ahammad, Maulvi.
Golam Sarwar Hosaini, Mr. Shah Syed.
Gurung, Mr. Dambar Singh.
Gyasuddin Ahmed Choudhury, Alhaj.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hasan Ali Chowdhury, Mr. Syed.
Hashem Ali Khan, The Hon'ble Khan Bahadur Maulvi.
Hosina Murshed, Mrs., M. B. E.
Hotemaily Jamadar, Khan Sahib Maulvi.
Hirtzel, Mr. H. A. F.
Idris Ahmed Mia, Maulvi.
Jonab Ali Majumdar, Maulvi.
Kaseem Ali Mirza, Sahibzada Kawas Jah Syed.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Lahiri, Babu Ashutosh.
McPherson, Mr. G. P.

Maji, Mr. Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Banku Behari.
Mandal, Mr. Birat Chandra.
Mandal, Mr. Jagat Chandra.
Mandal, Mr. Jogendra Nath.
Mandal, Mr. Krishna Prasad.
Maniruzzaman Islamabadi, Maulana Md.
Maqbul Hossain, Mr.
Mohsin Ali, Mr. Md.
Mookerjee, The Hon'ble Dr. Syamaprasad.
Morgan, Mr. G., C. I. E.
Mozammel Huq, Maulvi Md.
Muhammad Afzal, Khan Bahadur Maulvi Syed.
Muhammad Ibrahim, Maulvi.
Muhammad Sulaiman, Khan Bahadur Maulvi.
Mukerjea, Mr. Taraknath, M. B. E.
Mustagawsal Haque, Mr. Syed.
Mustafa Ali Dewan, Maulvi.
Nasker, Mr. Hem Chandra.
Nausher Ali, Mr. Syed.
Pettinger, Mr. G. U.
Pramanik, Mr. Tarinicharan.
Rahman, Khan Bahadur A. M. L.
Ramizuddin Ahmed, Mr.
Roy, Mr. Dhananjoy.
Roy, Kshirod Chandra, Rai Bahadur.
Roy, Mr. Manmatha Nath.
Roy, Mr. Patiram.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Sanaullah, Dr.
Sanyal, Mr. Susanta Sekhar.
Sen, Mr. Atul Chandra.
Sen, Mr. Dhirendra Nath.
Sen, Jogesh Chandra, Rai Bahadur.
Shahedali, Mr.
Shamsuddin Ahmed Khondkar, Mr.
Sirdar, Babu Litta Munda.
Stark, Mr. A. F.
Waliur Rahman, Maulvi.
Walker, Mr. J. R.
Wordsworth, Mr. W. C., C. I. E.
Yousuf Mirza.
Zaman, Mr. A. M. A.

The Ayes being 50 and the Noes 104, the motion was lost.

The motion of Mr Harendra Kumar Sur that the demand of Rs. 2,30,18,000 for expenditure under the head "29—Police" be reduced by Rs. 100 was then put and lost.

The motion of Khan Bahadur Mohammed Ali that the demand of Rs. 2,30,18,000 for expenditure under the head "29—Police" be reduced by Rs. 100 was then put and lost.

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The motion of Khan Bahadur Mohammed Ali that the demand of Rs. 2,30,18,000 for expenditure under the head "29—Police" be reduced by Rs. 100 was then put and lost.

The motion of Mr. P. Banerji that the demand of Rs. 2,30,18,000 for expenditure under the head "29—Police" be reduced by Rs. 100 was then put and lost.

The motion of Mr. Serajul Islam that the demand of Rs. 2,30,18,000 for expenditure under the head "29—Police" be reduced by Rs. 100 was then put and lost.

The motion of Mr. Mirza Abdul Hafiz that the demand of Rs. 2,30,18,000 for expenditure under the head "29—Police" be reduced by Rs. 100 was then put and lost.

The motion of Dr. Nalinaksha Sanyal that the demand of Rs. 2,30,18,000 for expenditure under the head "29—Police" be reduced by Rs. 100 was then put and lost.

The motion of Mr. Abul Hosain Ahmed that the demand of Rs. 2,30,18,000 for expenditure under the head "29—Police" be reduced by Rs. 100 was then put and lost.

The motion of the Hon'ble Mr. A. K. Fazlul Huq that a sum of Rs. 2,30,18,000 be granted for expenditure under the head "29—Police" was then put and agreed to.

The House was then adjourned at 11-37 a.m. till 3-30 p.m.

**(Afternoon Session.)**

The afternoon session met in the Assembly House at 3-30 p.m.

**Non-official Resolution.**

**Mr. DEPUTY SPEAKER:** I think there was a reasonable discussion on the resolution of Mr. Satyapriya Banerjee the other day and there is no necessity for further discussion The Hon'ble Minister in charge will now give a reply

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, in rising to explain the Government position regarding the issues that have been raised, I think I can confidently assert that these issues are of fundamental importance both from the point of view of the individual and from the point of view of Government. In every civilised society members of the public have the right to exercise their rights of citizenship unrestricted and unhampered by any restriction. At the same time Government charged with the duty of maintaining public peace and tranquillity and also for maintaining intact the measures for the defence of the country may find it necessary to impose restrictions on the liberty of individuals in cases where in the judgment of the Government such restrictions are unavoidable. It, therefore, follows that primarily the right of the citizens comes first and the restriction comes in only where restriction is absolutely unavoidable. From that point of view we feel that it should be our policy, and we take it to be our policy to see that persons who have been detained without trial or otherwise suffering under restriction of liberty should be set at liberty, but if in a particular case or class of cases the Ministry, after scrutiny of the records and personal examination of the persons concerned, are satisfied that the imposition of restriction on their liberty is justified and warranted, reasonable restrictive measures will be resorted to in such cases. With a view to facilitate the work of the Ministry, a

tribunal composed of persons who will inspire confidence in the people shall be set up to finish the work as expeditiously as possible. The personnel of the committee, it is expected, will be announced in about a week's time, if not earlier. It would have been possible for me to announce the personnel to-day, but unfortunately one of the gentlemen whose services we thought would be available is ill and is unable to take up the work. The consent of another Judge has not yet been obtained. It is for this reason that I am unable to announce the personnel to-day. It is our desire to secure the services of Judges of the High Court or persons who have held high judicial offices and persons of justice who have admittedly the ability to appraise the evidence and in whom the public can have unstinted confidence.

Sir, we are passing through very anxious times. Had it been a normal condition of affairs, I would have taken courage in both hands and gone to the furthest extent to meet my friend Mr. Satya Priya Banerjee. But the enemy is at our doors, and I would advise him to consider whether it is reasonable and proper for us to take the responsibility entirely on our own shoulders in the matter of the maintenance of public peace and tranquillity. It is for this reason that certain circumspection is necessary and, therefore, the little limitation that I have suggested, I hope, will be accepted by reason of the special circumstances with which we are faced. If through the blessings of Providence the ominous war clouds roll away and perfect peace and tranquillity is restored, I hope we will soon see the day when these motions in the Assembly or anywhere else will be unnecessary and when we, members of all the communities, all sections of the people, will work and co-operate and collaborate together for the prosperity of our common motherland. I appeal to my friend not to press this resolution. I want him to have confidence in our desire to meet his wishes as far as possible, and I sincerely hope that the tribunal which we propose to set up will not only inspire public confidence but also satisfy the wishes of a large number of our countrymen who at the present moment think that Government had not been justified in imposing restriction on the liberties of individuals. Co-operation is what we want and in that desire I hope there will be no more discussion on this motion, but that my friend will withdraw his resolution and leave the matter in our hands in order that we may have a chance of satisfying the wishes of the public in a matter of such vital importance both to the Government and to the public.

**Mr. SASANKA SEKHAR SANYAL:** On a point of information, Sir. Will the Hon'ble Home Minister please explain whether with regard to cases of a large number of young men who are subjected to restriction of movement in their day-to-day life, who are not able to go out of their houses for several hours and to associate with comrades and friends and are not able to go out to pursue their ordinary

avocations of life, Government are going to send such cases to the tribunal or they propose to deal with them themselves with a view to a speedy settlement of the cases?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** So far as these cases are concerned, they are not very complicated, and we do not think that we shall trouble the tribunal with them. We propose to deal with these cases as soon as they are brought to our notice.

**Mr. SATYAPRIYA BANERJEE:** Mr. Deputy Speaker, Sir, in view of the very sympathetic speech of the Hon'ble Home Minister and in view of the emphatic declaration of the policy, namely, to set at liberty those persons who are detained without trial or suffering from restriction imposed on their liberty, on the face of this very sympathetic declaration from the Hon'ble Home Minister I think I should not pursue the resolution further. Before formally withdrawing the resolution I will put before the House some facts. The other day——

**Mr. DEPUTY SPEAKER:** Are you withdrawing the resolution? If you are, then you cannot make a speech.

**Mr. SATYAPRIYA BANERJEE:** I am not making a speech, Sir. The other day——

**Mr. Khwaja SHAHABUDDIN:** May I rise on a point of order, Sir? When an honourable member asks for leave to withdraw his resolution he is not allowed to make a speech.

**Mr. DEPUTY SPEAKER:** You are correct. He cannot make a speech.

**Mr. SATYAPRIYA BANERJEE:** I bow down to your ruling, Sir, and I formally beg leave of the House to withdraw the resolution that stands in my name.

**Dr. NALINAKSHA SANYAL:** The motion for withdrawal is now before the House, and it is only fair that members of other parties should be given an opportunity to make their observations on an important issue like this. You may give an opportunity to members to express themselves. This motion cannot be put straightaway.

**Mr. KIRAN SANKAR ROY:** Mr. Deputy Speaker, Sir, will you kindly allow me one minute to make a statement? I do not want to make a speech. Sir, about the resolution which has been moved and which Mr. Banerjee now wants the leave of the House to withdraw, I want to say this on behalf of the Congress Assembly Party that we

are not very much satisfied by the statement made by the Hon'ble Home Minister. Men who have been imprisoned without trial and on *ex-parte* evidence should be released straight off. Sir, war is no excuse. On the contrary, it is because the war is now so near that these men should be released at once so that they can organise the civil population of this country to combat foreign aggression. Further, Sir, I expected something more from the present Cabinet. This question of appointing a tribunal, I understand, was suggested by the Delhi Government and was repeatedly refused by the last Cabinet. I do not know if I am correct—I am speaking subject to correction. Anyway, I expected this Cabinet to release the security prisoners forthwith. What they propose to do to-day is nothing more than what is being done in provinces where Ministries are not functioning. Governors and their advisers in Madras and in other provinces have done this. I expected our Ministry to go further, and I am sorry circumstances there must be some, which I do not know and which perhaps are preventing them from taking this step. Anyway, we are prepared to give them a chance and if we find that this is not satisfactory, we shall bring this up ourselves at the next session. So far as this tribunal is concerned everything will depend upon the personnel of the tribunal, and I hope, Sir, that the Cabinet will give particular attention to see that right men are chosen for the purpose.

**Mr. DEPUTY SPEAKER:** Mr. Satyapriya Banerjee wants the leave of the House to withdraw his resolution. Is there any objection? (No objection was raised.)

The resolution of Mr. Satyapriya Banerjee that this Assembly is of opinion that persons convicted or detained by orders of the Government of Bengal under the Defence of India Act and Rules framed thereunder be immediately and unconditionally released was then, by leave of the House, withdrawn.

**Mr. DEPUTY SPEAKER:** Now I call upon Mr. Khwaja Shahabuddin to move his resolution (No. 2).

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, before the honourable member moves his resolution, may I make a statement? Sir, the resolution on the agenda paper relates to the Murapara mosque about which an unfortunate incident took place nearly two years ago and about which——

**Mr. Khwaja SHAHABUDDIN:** Sir, may I point out that my resolution has nothing to do with the incident?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** No, no. I am only pointing out one or two points in order to show the necessity for the statement that I am going to make. My honourable friend, Mr. K. Shahabuddin, and I went to the locality immediately after that incident—that is the reason why I was mentioning this—and we found that there was very great agitation amongst the Muslims about the Murapara mosque and there were also feelings on the other side which appeared somewhat detrimental to the interests of the Muslims who had suffered from what had taken place. During these two years or rather one and half years attempts have been made to try and get the mosque restored to the Muslim community. Our efforts hitherto did not bear much fruit, and I am happy to inform the House that my recent talks with the Rai Bahadur have been extremely satisfactory and negotiations for an amicable settlement satisfactory to both sides appear to be in sight. In these circumstances, discussion even of the most careful character is likely to hamper me in the negotiations that I am carrying on. I am only pointing out that this is the position. If my friends want to have a full dress debate they are welcome to do so, but I am appealing to my friend, Mr. K. Shahabuddin, who I know is as anxious as anybody and who has rendered services in the past towards the acquisition of the mosque for the Muslims. I hope he will realise that discussion may defeat the very object which we all have in view In these circumstances I would request him not to move his resolution

**Mr. K. SHAHABUDDIN:** In view of the statement made by the Hon'ble Chief Minister and in the expectation of the achievement of the object aimed at in the resolution, I do not move this resolution.

**Dr. NALINAKSHA SANYAL:** Sir, if Khan Bahadur Maulvi Aulad Hossain Khan is not present or prepared to move the resolution standing in his name, may I have your leave to move it myself?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** May I mention, Sir, that Khan Bahadur Maulvi Aulad Hossain Khan's resolution has our fullest sympathy and we are prepared to accept it.

**Dr. NALINAKSHA SANYAL:** Then, may I have your leave to move the resolution?

**Mr. DEPUTY SPEAKER:** Yes.

**Dr. NALINAKSHA SANYAL:** Sir, I beg to move that this Assembly is of opinion that henceforth all appointments under this Government should be made by competitive examination keeping the communal ratio in tact.

The object of moving this resolution is to ensure that within the particular community nothing else but merit will have its play and the best men amongst the community will be selected. We have repeatedly pressed this, and we hope that this will receive universal acceptance.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I very gladly accept the resolution.

The resolution of Dr Nalinaksha Sanyal that this Assembly is of opinion that henceforth all appointments under this Government should be made by competitive examination keeping the communal ratio in tact was then put and agreed to

**Rai Sahib ANUKUL CHANDRA DAS:** Mr Deputy Speaker, Sir, I beg to move that this Assembly is of opinion that the rules 7 (*1*) and (*9*) and the provisos thereto of the Bengal Services Recruitment (Communal Ratio) Rules, 1940, be amended as follows:—

7(*1*) Of all vacancies to be filled up by direct recruitment of any service, department or office or branch of any service, department or office to which these rules apply, 25 per cent. shall be reserved for the members of the Scheduled Castes.

(*9*) Where direct recruitment is made by competitive examination or otherwise in any service, department or office, or branch of any service, department or office to which these rules apply and qualified candidates of the Scheduled Castes are insufficient in any year to fill up all the posts reserved for them, the vacancies shall be left unfilled till qualified candidates from the Scheduled Castes are available to fill up all such posts and in no case the vacancies reserved for the members of the Scheduled Castes be filled up by the candidates of the non-Scheduled Castes.

Sir, in moving this resolution for the acceptance of Government I beg to point out the great defects in the communal ratio rules. You know, Sir, that under rule 7 of the present Communal Ratio Rules, 15 per cent of the services are reserved for the members of the Scheduled Castes. Our first grievance is that this reservation is not based on the actual population ratio of the Scheduled Castes, because on the basis of the population ratio at least 25 per cent. of the services should go to the members of those castes My second grievance is that there is a clause in the service ratio rule, namely, "if qualified candidates are available." But if we compare the case of the Scheduled Castes with that of the other communities we find that under rule 4 the services have been reserved at a 50:50 ratio for Muslims and non-Muslims.

And there no mention has been made about the condition of qualified candidates being available. There is no mention of the words "if qualified candidates are available" in that rule. But so far as the Scheduled Castes are concerned, the question crops up about the availability of qualified candidates. I do not, Sir, for a moment ask the Government to appoint unqualified candidates, but I must say that unless some system is devised with a view to really giving effect to the ratio fixed for the candidates of the Scheduled Castes, the rule is observed more in its breach than in its acceptance. And we have been deprived of our due share fixed in accordance with the service ratio rules. If you refer to the last recruitment to the Bengal Civil Service (Executive) and the Bengal Junior Civil Service, you will find that only one candidate from the Scheduled Castes has been taken this year. Out of the 22 appointments only one Scheduled Caste candidate has been appointed and the service ratio rule has not been observed and the posts reserved for the Scheduled Castes were filled up by non-Scheduled Caste communities on the plea that no qualified Scheduled Caste candidate was available. I would at the same time ask you, Sir, to compare our position with that of the Muslim community in whose case the service ratio rule is adhered to strictly, no matter whether qualified persons were available from amongst their candidates for direct recruitment. I would, therefore, most respectfully ask the Government to adopt the same procedure in our case as has been done in the case of the Muslims so that in case candidates are not available by direct recruitment the posts reserved for the Scheduled Castes should be filled up by promotion of the members of same community and should not be given to non-Scheduled Castes whoever they may be. In the last recruitment to the Bengal Civil Service, Sir, we have been denied our legitimate quota and therefore we respectfully ask the Government to give us our due share strictly in accordance with the service ratio rules. Then, Sir, there is a proviso to urle 7 (*1*), that appointments reserved for the members of the Scheduled Castes should not exceed 30 per cent. of the total number of non-Muslim appointments. I submit that reservation has no meaning at all if we are restricted to only 30 per cent. of the services provided for non-Muslims. This reservation of the services has been made because we are backward and we require protection. If that is the accepted principle, we should be allowed to fill up all the vacancies. This proviso along with the rule for having 15 per cent. of the services reserved for us will have to be further revised. I may also point out again that there is a rule under which the Muslims will get 50 per cent. of all appointments and if the requisite number of candidates are not available by direct recruitment, the requisite percentage is maintained in their case by means of promotion of suitable Muslim candidates from the lower ranks. But in the case of the members of the Scheduled Castes that privilege is denied.

We submit that the same procedure should also be applied to the candidates of the Scheduled Castes in case their number falls short of the requisite percentage by direct recruitment and that the communal ratio should be maintained in our case by means of promotion as has been done in the case of other communities. These are my points for submission to the House, and I also respectfully request the Government to accept our demand.

With these words, Sir, I move the resolution that stands in my name.

**Babu KSHETRA NATH SINGHA:** Sir, I am very much willing to support the motion moved by my friend Rai Sahib Anukul Chandra Das. We know, Sir, that the plea of ignorance is always taken against us whenever there is any vacancy to be filled up. Even now, Sir, in the House itself some friends of mine who claim themselves to be real friends of the Scheduled Castes are expressing their sentiment by saying that there was no necessity of moving such a motion. These friends of mine are quite aware that we have got particular grievances of ours and those grievances have not been redressed during the long five years of Provincial Autonomy. Our claims have been admitted and a ratio has been given to us, but how far it has been put into action is quite well known to the House We have put questions after questions about department after department with regard to our legitimate grievances therein, but everybody in this House and the public outside are aware that the cases of the Scheduled Castes are always neglected and their ratio is still below the minimum. What is the reason, Sir? Formerly the majority of the Scheduled Caste members of this House were on the opposition and the Hon'ble the Chief Minister used to tell us then that because we were on the Opposition he could not do anything for us. But now that we are on this side of the House—on the side of the Government—we do not know what we are getting from this Government. Three months have elapsed since the formation of this new Ministry and during these three months we might at least expect some indication to be shown by the Government that something would be done for the neglected Scheduled Caste subjects of His Majesty the King-Emperor, but no indication is yet forthcoming. At the time when my friend was moving the motion, some of my friends on the other side were saying that it was of no use to move such a motion, as if we are ever to remain as dumb millions of people without having the right even to ventilate our grievances. Sir, we are not going to submit to that. Sir, we want to support the Government, but we must get our share of the just rights of the neglected. We must have it.

Sir, formerly I was in the Opposition and I always pressed my claims against the Government, but now, Sir, I am on the side of the Government and nobody, I dare say, is more sincere than myself in supporting

this Government without any grudge or without any grievance. Sir, formerly I belonged to the Independent Scheduled Castes Party, but now in order to give our fullest support to the Government, we have formed the Progressive Scheduled Castes Party and in order to blindly follow them through hell and fire. Sir, we want the Hon'ble Chief Minister to say that he is very much sympathetic to the cause of the down-trodden millions. We must have it and must see that justice is done and redress is made to the grievances of the neglected.

Sir, I do not want to deliver any long speech on this subject, but my only request to the Hon'ble Chief Minister is this, that he should always remember that there are millions of people looking to Government for support and help and he must not forget that these people, these dumb millions, cannot express themselves; they cannot express their grievances, they cannot place their claims, they cannot demand many things from Government, but still their claims must be attended to, justice must be done to them and kindness must be shown to these neglected millions. Sir, with these words I support the motion

**Mr. DHIRENDRA NATH DATTA:** Mr Deputy Speaker, Sir, I rise to give my support to this motion. I beg to mention one fact In answer to a question put by a friend belonging to the Scheduled Caste community, it has been stated that so far as recruitment of munsifs from the Scheduled Castes is concerned, there were no qualified candidates available and so there was no recruitment of munsifs from the Scheduled Castes But, Sir, by supplementary questions it was elicited that the persons who applied for the post had passed the Law Examination and the minimum qualification for a munsif is to pass the Law Examination.

Sir, from my experience in the bar, I can tell the House that persons who after having passed the Law Examination in the second division have adorned the Benches, have done better than those who have passed in the first division. So, it cannot be said that the Scheduled Caste candidates have not got the requisite qualification.

Sir, this is a point which requires immediate consideration by the Ministry. There has been a rule and the regret is that there has been a violation of the rule. The rule must be strictly observed and they must get the number of appointments reserved for the community.

In the past we have neglected them and if we continue to show negligence to them in future, I am quite sure that we cannot claim that we are really doing justice to the community. In the matter of appointments, in the matter of education and in other matters, great consideration must be given to the unhappy and so-long neglected community. From my experience, I can say that all the members of the Scheduled Castes without any exception who have sat on the bench have done

creditably well. In my district there have been munsifs belonging to the Scheduled Castes, Caste Hindu and Muslim communities and after comparing the work of the munsifs belonging to the Scheduled Castes with the work of the Munsifs belonging to other communities, we find that they come up to the mark although they may not possess a first class degree in M.A. or in Law. So, in the matter of recruitment of officers, the rules must be strictly observed, and in case there are no qualified candidates available from the Scheduled Castes, the posts should not be filled till qualified candidates are available, as mentioned in the second part of the resolution.

Sir, it seems to me from the number of questions put by members of the Scheduled Castes that there has really been a violation of the rules and we want to see that in future such violation does not take place.

So far as the first part of the resolution is concerned, namely, reservation of 25 per cent. of posts for Scheduled Castes, I may say that I am agreeable to any percentage that may be reserved for the Scheduled Castes who have been neglected in the past and they should not be neglected in future. Sir, with these words I support the motion.

**Maulvi ABUL HASHIM:** Sir, I rise to support the demand of my Scheduled Caste friends, and I feel that there is much force in the arguments they have advanced. But I am particularly moved by the passionate appeal of my friend Mr. Kshetra Nath Singha. He says that during the past few years they were denied all that they wanted as they were divided, some being in the Opposition and some with the Ministry. Now, they say that since they are united and are giving united and solid support to Government, they can very legitimately claim for satisfaction of that something for which they are with the ministry. We find, Sir, that individuals—not a party but individuals—who having sacrificed all principle and discipline are giving support to this Ministry are being favoured and are getting recognition for such service, and it will be a pity if a community who are now giving solid support to Government for getting something which is due to them do not get what they want. I therefore hope that in view of the passionate appeal of my friend Mr. Kshetra Nath Singha, if not for the arguments of my other Scheduled Caste friend, the mover of the resolution, because arguments do not always prevail, this Government will surely see its way to give immediate satisfaction to their claims and here and now will make such announcement as may satisfy them and satisfy us all here. There are no two opinions on this. A Scheduled Caste member from the ministerial party has moved the motion, my Congress friend over there has already supported it, and

we are also prepared to support their claims. Therefore, I think Government will have no difficulty whatsoever in giving its support to this proposal and will accept it here and now.

**Mr. PREMHARI BARMA:** Mr. Deputy Speaker, Sir, I wholeheartedly support the resolution moved by my friend Rai Sahib Anukul Chandra Das. Sir, at the time when the Services Recruitment (Communal Ratio) Rules were framed such qualifying clause was not to be found in case of other communities, and I am sorry to say that this qualifying clause "if qualified candidates are available" was inserted in the Services Recruitment (Communal Ratio) Rules by the previous Government. And this mischief to the Scheduled Castes has been done, not by this Government but by the previous Government. (Maulvi ABUL HASHIM: No, no.) Thank you for your support, but the mischief has been done to the Scheduled Castes in the régimé of the last Government. It is time that the defect in the rules should be rectified and the service rules should be revised in consonance with the rules applicable to other communities. So, I request Government to lose no time in rectifying the rules because as a result of this qualifying clause in the rules Scheduled Caste candidates do not get appointments even though there is no dearth of suitable candidates amongst the Scheduled Castes. Recently, Sir, in the district of Dinajpur three vacancies in the civil court were filled up, after they were advertised—one from the Muhammadan community, one from the General Hindus and one from the Scheduled Castes. There were qualified candidates among the Scheduled Castes available. In spite of that, Scheduled Caste candidates were not appointed. This is due to the fact that this qualifying clause remains in the service ratio rules, and this clause gives the appointing authority a discretion to decide whether a particular candidate is suitable or not. The appointing authority need not exercise this discretion in case of candidates belonging to other communities, *e g.*, the Muslim community. According to the rules, he is bound to appoint persons with minimum qualifications in case of Muhammadans. Therefore, I request Government to rectify the rule and modify it according to the spirit of the resolution moved by my friend Rai Sahib Anukul Chandra Das.

**Mr. RASIK LAL BISWAS:** মাননীয় Deputy সভাপতি সাহেব, আমাদের সামনে যে প্রস্তাব এখানে এসেছে, তাতে বলা হচ্ছে যে Scheduled Castesকে চাকরি বাকরি ব্যাপারে শতকরা ২৫ ভাগ যেন দেওয়া হয়। এর আগে চাকুরিতে বিভিন্ন সম্প্রদায়ের সাম্প্রদায়িক অনুপাত কিছু ছিল না। এর আগেই যে গভর্ণমেণ্ট ছিলেন, তারা প্রথমেই বিভিন্ন সম্প্রদায় থেকে সংখ্যা অনুসারে ratio অনুসারে চাকুরিতে নিয়োগ করার নিয়ম ঠিক করে ছিলেন। তাতে অন্যান্য সম্প্রদায়ের পক্ষে চাকুরিতে ঢোকার সুবিধা হয়েছিল। সেই গভর্ণমেণ্টের যিনি প্রধান মন্ত্রী ছিলেন, তিনি এখনও তাই আছেন এবং সেই জন্য তাঁকে এবং তার

সহকর্মীদের আমি ধন্যবাদ দিচ্ছি। কিন্তু এই কয়েক বৎসরের কার্য্যের ফলে দেখা গেছে যে যে ratio rule তারা করেছেন, সেই অনুসারে সব জায়গায় কাজ হয় নাই কেননা সেখানে মস্ত বড় একটা ভুল ছিল। সেই ruleএ ছিল—"if suitable candidates are not available from Scheduled Caste, then vacancies may be filled from other Castes." ইহার ফলে হয়েছে এই যে যে সব জায়গায় appointing authority Scheduled Casteএর উপর favourable নয়, তারা উপযুক্ত qualification থাকা সত্বেও suitable নয়, এই অজুহাতে তাদের বাদ দিয়ে Non-Scheduled Caste থেকে fill up করেছেন। অনেক জায়গায় Scheduled Casteএর list থাকা সত্বেও যে সমস্ত Scheduled নয়, তাদের থেকে লোক Scheduled Caste বলে পরিচয় দিয়ে দরখাস্ত করেছে। Appointing authority বা recommending authorityর connivanceএর জন্যই তারা দরখাস্ত করে ছিল। এই ভাবে সেই সমস্ত Non-Scheduled Caste থেকে Scheduled Casteএর vacancy fill up করা হয়েছে। এই রকম নানা ভাবে Scheduled Casteএর demands ও claims নষ্ট করা হয়েছে এবং এখনও হচ্ছে। এটা অনেক সময় আমরা departmental authoritiesএর noticeএ এনেছি কিন্তু এর remedyর জন্য কোন ব্যবস্থা হয় নি। এবং কয়েক বছরের working এ দেখা গেছে যে Scheduled Caste candidate কোন জায়গায় সংখ্যানুপাতে যে পরিমাণ হয় তার চেয়ে উপযুক্ত প্রার্থীর কমতি পড়ে নি। এমন কি higher serviceএও আমাদের qualified candidateএর সংখ্যা কোন জায়গায় কম হয় নি। আমাদের যে 15 per cent. ratio ধার্য্য করা হয়েছে, বাংলাদেশে Scheduled Casteএর তুলনায় তা কম। বাংলাদেশে পাঁচ কোটি লোকের মধ্যে আমাদের সংখ্যা হল এক কোটি অর্থাৎ শতকরা ২০। এই শতকরা ৫ কম হওয়াতেও আমাদের অনেক অসুবিধা হয়ে ছিল কিন্তু যদি এই শতকরা ১৫ও সব জায়গায় দেওয়া হত, তাহলেও আমাদের কিছু consolation থাকত। এখন প্রস্তাবক যে প্রস্তাব এখানে এনেছেন, তার উদ্দেশ্য হচ্ছে এই যে আমাদের সংখ্যা গভর্ণমেণ্টের সমস্ত Departmentএই খুব কম আছে। সেটা make up করতে হলে ratio অনুসারে যা পাওয়া উচিত, তার চেয়েও বেশী হওয়া দরকার। তা নইলে deficiency make up হতে পারে না। সেইজন্য শতকরা ২৫ দাবী করা হয়েছে। যেখানে qualified Scheduled Caste নাই (যদি পাওয়া যায় ভালই) সেখানে Non-Scheduled Caste দিয়ে vacancy fill up করা যেন না হয়। এই principle যদি নেওয়া হয় যে Scheduled Casteএর লোক পাওয়া না গেলে Non-Scheduled Casteএর লোক নিয়ে vacancy filled up হবে, তাহলে Scheduled Casteএর লোক কোন দিনই পাওয়া যাবে না—তাহলে তাদের দরখাস্ত waste-paper basketএই যাবে। সে দরখাস্ত কখনও উঠবে না। এখনও তাই হচ্ছে। কাজেই কোন definite ruleএর মধ্যে না এলে এটা করা সম্ভবপর হবে না। এক হাত দিয়ে যা দেবেন, আইনের ভুল থাকা দরুণ অন্য হাত দিয়ে সেটা নেবেন। সেইজন্য আমি গভর্ণমেণ্টকে এদিকে বিশেষ মন দিতে অনুরোধ করি। অনেক সময় তাদের Scheduled Casteএর প্রতি যে সহানুভূতি আছে, তা প্রকাশ করে থাকেন এবং অনেক সময় আমরা তা পেয়েও

থাকি কিন্তু এ ব্যাপারে Scheduled Casteএর ২টা special claim তা আলাদা interest বলে পরিগণিত হওয়ার প্রয়োজন হয়েছে। একটা educationএর জন্য special facility; আর একটা চাকরির সাম্প্রদায়িকতায় special facility—এই দুটো special facility দিয়ে আমাদের অভাব পূরণ হয়ে গেলে Scheduled Casteএর আলাদা existenceর প্রয়োজন হয় না। এই দুটো অভাবের মধ্যে আজকে আমাদের সামনে এসেছে চাকরি সম্বন্ধে special facilityর কথা, এখানে আমাদের যে অসুবিধা আছে, সেটা দূর করবার জন্য। মুখে আপনারা সহানুভূতি করতে পারেন—মন্ত্রীদের এবং মন্ত্রীদের সমর্থক বন্ধুদের সমর্থন আছে জানি—কিন্তু তাঁরা যখন চাকরি দেবেন না, লোক select করবেন না—তাঁরা ত দরখাস্ত নেবেন না; দরখাস্ত নেবেন তাঁদের departmentএর অন্যান্য কর্ম্মচারী এবং তাঁরা তাঁহাদের মত লোক হবেন তা আশা করা যায় না এবং সেখানে যারা আছে তারাও সে রকমের নয়। মন্ত্রী মহাশয় অন্যায় করলে আমরা তাঁর সঙ্গে ঝগড়া করতে পারি, দুটো কড়া কথা বলতে পারি কিন্তু কোন officer করলে আমরা তা করতে পারি না, সেই জন্য বলি definite rule থাকা দরকার এবং সেই rule যাতে observed হয় সেটাও দেখা দরকার। বাংলা গভর্ণমেণ্টের Ratio Officer থাকার দরুণ আমাদের কোন কোন grievance remove হয়ে ছিল। সেই Ratio Officer যাতে আবার appointed হয় এবং গভর্ণমেণ্ট যে rule করেন, তা যাতে ভালভাবে follow করা হয়, আমরা তা চাই। তা না হলে rule করে রাখলুম আর follow করা হল, না হল, তা লক্ষ্য করলাম না—সেভাবে rule করলে কোন ফল হবে না। আমি এই প্রস্তাব সমর্থন করি এবং আশা করি, আমাদের গভর্ণমেণ্ট যারা Scheduled Casteএর প্রতি সব সময় সহানুভূতি প্রকাশ করে থাকেন, আজ তাঁহারা সেই প্রস্তাব সমর্থন করে নেবেন এবং Scheduled Casteএর উপর যে অন্যায় হয়েছে চাকরি বাকরি ব্যাপারে তা make up করে নেবেন। এবং সকলের সামনে by their action demonstrate করবেন যে তারা সত্যই অনুন্নতদের উন্নত করতে চান। এই সম্পর্কে বলতে পারি কোন এক সময়ে এক Caste Hindu leaderএর সঙ্গে কথা হয়ে ছিল। তিনি বলেছিলেন—দেখ, আমরা শরীরের মাংস কেটে খানিকটা রক্ত দিতে পারি কিন্তু চাকরির ভাগ যদি আমাদের কাছে চাও তাহলে আমরা সহ্য করতে পারব না। এই রকম যদি অবস্থা হয়, তাহলে সেটা বড়ই মারাত্মক কথা। আজ যদি সত্যই আমাদের ওঠাবার জন্য, আমাদের উন্নতির সহায়করূপে তাঁরা জগতের সামনে নিজেদের পরিচয় দিতে চান, তাহলে তাঁদের দেখাতে হবে যে রক্তের চেয়ে যেটা প্রিয়তর জিনিষ, মূল্যবান জিনিষ, সেই চাকরির ভাগও আমরা সমান পরিমাণে দিতে প্রস্তুত আছি। তাহলে সত্যিকারের সহানুভূতি demonstrate করা হবে, মৌখিক সহানুভূতি হবে না।

**Khan Bahadur MOHAMMED ALI:** I move that the question be now put.

**Mr. DEPUTY SPEAKER:** There are more members eager to speak.

**Mr. J. R. WALKER:** Sir, we sympathise with the grievances of the Scheduled Castes. We feel that they have been neglected in the past. At the same time we would like to draw attention to the second part of the resolution where it says: "Where qualified candidates of the Scheduled Castes are insufficient to fill up all the posts reserved for them, the vacancies shall be left unfilled". We believe that to be impracticable. If the leaders of the Scheduled Castes do not get proper men to come forward or do not get men trained for the positions vacant, then they must be handed out to men of other communities who can do the jobs because the posts cannot be left unfilled as the work has to be done.

**Dr. NALINAKSHA SANYAL:** Sir, the resolution before the House has enabled different members to express themselves in regard to this matter of great public importance, in a way, although we have been taken by the resolution somewhat by surprise. So far as the Congress Party is concerned we stand by the deepest sympathy that we always have for those sections of our countrymen who are termed by an alien Government as Scheduled Castes. We of the Congress are not prepared to make any distinction between one section of humanity and another and particularly in the case of a large community like the Hindu community; we are not prepared to admit any artificial barrier between one section of it and another. We recognise that certain sections of the Hindu community have been played as against other sections by interested persons and we notice that the aunt has become more solicitous of the welfare of the child than the mother. When the Europeans and the Muslim League members combine to shower their blessings on the demands of a particular type, we would like to have our countrymen apply their mind very carefully to the aunt's sense of affection. Sir, in Bengali it is said, "মার চাইতে মাসীর দরদ, তাকে বলে ডান" Let us put a stop to such unwanted solicitousness.

So far as the resolution goes, we can assure Rai Sahib Anukul Chandra Das and other comrades of the Scheduled Castes who are fighting in the cause of Indian nationalism that we of the Congress would not stop short of any measure to win their love and sympathy and their affection and co-operation in the fight for Indian freedom. Sir, in that cause we are prepared to suffer to the greatest extent. Even in the matter of giving up all the services to our comrades we shall not fall short of it. But, Sir, I would like to warn my friends of the attempts at drawing one section against another section of the same community or one group against another in order to stultify our aspirations for national freedom. That is a game that has been going on for a long time. We have recently noticed how even in the matter of meeting the plenipotentiary who is coming from the House of Commons only certain

*persons have been invited to represent* the Scheduled Castes who, we know, are extremely reactionary in their outlook and may not represent the Scheduled Castes as a whole—I mean Mr. M. C. Rajah and Dr. Ambedkar. Sir, in the background we know that political manœuvrings are going on. I would not like to deliver any speech on a resolution of this character, but I would only respectfully request our Scheduled Caste friends to read carefully and re-read the resolution and tell us whether in their own heart of hearts they feel that this resolution, as it is worded, would make for efficient administration.

In the resolution there are two parts. In the first part, irrespective of any merit or qualification whatever a claim has been made to increase the present ratio from 15 per cent. which is reserved by Government to 25 per cent. It is always very easy for persons to obtain cheap clap-trap by offering a few percentages more for a community or for their own community than others. Sir, this kind of political game or drawing must be definitely put a check to. It is not our intention to prevent a large number of posts or even the whole hundred per cent. of posts going to Scheduled Castes who are qualified, but, Sir, surely our Scheduled Caste friends themselves would not like their own nation, their own administration to be jeopardised by men who cannot administer the departments properly and efficiently.

**Mr. RASIK LAL BISWAS:** They will be able to administer efficiently.

**Dr. NALINAKSHA SANYAL:** I have the deepest regard for Mr. Rasik Lal Biswas's opinion. I know that when personally talking across the table he would be more reasonable than many of his utterances in a public gathering.

So far as the second part of the resolution goes, the absurdity is patent. The second part of the resolution suggests that unless and until the Scheduled Caste members come up to the required qualifications, the appointments will have to be kept in abeyance. Take for example the case of munsifs It has been laid down by Government that the munsifs must have requisite qualifications of being lawyers, must have passed in Law It cannot surely be suggested that if we do not have a requisite number of Scheduled Caste lawyers available, the whole administration and the work of the courts of law will have to be stopped so long as the requisite qualifications are not acquired by Scheduled Castes! Take the example of the Engineering Service, Medical Service, Teachers, Professors and the like. In all technical services if this standard is to be applied, so long as duly qualified persons of a particular community—I am not talking of the Scheduled Castes only and it may be applicable to Muslims and Caste Hindus as

well—are not forthcoming nothing should be done, then the position will be absurd. I do respectfully request Rai Sahib Anukul Chandra Das to make clear whether honestly he feels that the State will stop all work—that medical work in hospitals should be stopped till qualified medical men from the Scheduled Castes are forthcoming, etc. The Government's present policy appears to be this, that attempts should be made to give requisite percentages of services to members of respective communities and failing to find suitable candidates of that community to allow certain other communities who may have the requisite number of qualified candidates to come in. I do not under the circumstances feel that there is much change in the present rules in that connection called for. I know that the present communal ratio rules require revision in many other respects, and I have on the floor of the House on previous occasions claimed for the same. So far as the maintenance of the purity, efficiency and integrity of the administration is concerned, I emphasise in the name of all communities——

**Khan Bahadur MOHAMMED ALI:** On a point of order, Sir. How could one member of a party support this resolution and another member of the same party oppose it?

**Mr. DHIRENDRA NATH DATTA:** To make it clear, Sir, I did so in my individual capacity.

**Dr. NALINAKSHA SANYAL:** Sir, I will not try to emulate the manners of Khan Bahadur Mohammed Ali and shall not seek to be overzealous about somebody else's rights. We want to examine the question on its merit, and we have got to appeal to the members of the Scheduled Castes who are to-day kept separate from the large community of the Hindus, to think of the bigger interests of the nation as a whole, and at a time like this when certain constitutional changes are in the offing we respectfully beg of them not to raise issues of this character but to trust their comrades and friends and to trust the members of different communities. We do admit to our shame that in the past justice has not been done to them and so we are prepared to do more than justice in the future But that is no reason why there should be an unreasonable attitude taken up at the present stage to embarrass our constitutional advance on national lines.

With these words, Sir, I would respectfully request Rai Sahib Anukul Chandra Das to withdraw his resolution.

**Mr. BANKU BEHARI MANDAL:** Mr. Deputy Speaker, Sir, I rise to support the resolution moved by my friend Rai Sahib Anukul

Chandra Das. As my time is very short, I will not say anything on the motion itself, but I would like to say something about the remarks that have been made by some of my friends opposite.

Sir, our bitter experience is that though there are suitable Scheduled Caste candidates, they are not given the appointments only because the appointing authority has got some relations to provide for and so the appointments reserved for Scheduled Caste candidates generally go to the relations of the appointing authority on the pretext that there are no suitable Scheduled Caste candidates. That is the difficulty, Sir.

With these remarks, Sir, I would request that the motion be accepted by the Government.

**Srijut NARENDRA NATH DAS GUPTA :** Mr. Deputy Speaker, Sir, আমি এই resolution সম্পর্কে মাত্র এই বলতে চাই যে অন্যান্য community সম্পর্কে যখন এই কথা নেই যে উপযুক্ত candidate না পেলে তাদের দেওয়া হবে না, তখন Scheduled Caste সম্পর্কে সেই প্রকার নিয়ম থাকা অত্যন্ত অন্যায়। দ্বিতীয়তঃ তারা যে শতকরা ২৫ দাবী করছে তাদের উন্নতির জন্য তাতে যেমন Caste Hinduদের দায়িত্ব আছে তাদের অত্যন্ত বেশী বন্ধু যারা—এই Muslim League—তাদেরও দায়িত্ব আছে যাতে এই শতকরা ২৫ তারা পায়। হিন্দুদের কাছ থেকে তারা শতকরা ১৫ পেয়েছে। আমি আশা করি, Muslim League তাদের share থেকে আর শতকরা ১০ দিয়ে তাদের আশা পূরণ করবেন।

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, it seems that today is my lot to take part in discussions and to formulate policies of the present Government Sir, I have got so many things to say regarding the debate that has taken place that I have honest doubts as to where to begin. My first words will be of sympathy in the fullest measure for the object with which this resolution has been moved in the House. This sympathy proceeds from the genuine desire to co-operate with those of our friends who are known as belonging to the Scheduled Castes not merely because they are deserving of the fullest consideration and sympathy in improving their position but because up till now they have not had proper opportunities given to them to make all possible efforts towards self-improvement. It is true, as Dr. Nalinaksha Sanyal has pointed out, that our brethren of the Scheduled Castes are an integral part of the Hindu community but somehow or other the interests of the scheduled castes have not received that consideration which is due to them by reason of the fact that they are helpless, that they are backward and that they are not in a position to press their claims with that force which is necessary in order to attract public attention. From time to time Government have laid down special rules for the protection not merely of the interests of the Scheduled

Castes but also of other minority and backward communities. And I think I can say without any fear of contradiction that during the time that the provincial autonomy has been working in Bengal the Government of the day has not only continued the policy of sympathy with the aspirations of the Scheduled Castes but have also gone further in laying down definite rules for their improvement and for opening out to them all possible avenues of improving their position. The resolution before us, however, is a somewhat difficult one. In the first place a reservation to such an extent as 25 per cent. all at once must necessarily encroach upon the reservation for other communities. Let us all hope that the day is coming when all reservations will disappear and when the various communities making up the Indian people will be ready to face open competition without any reservation whatsoever. But till that day comes reservations will be there for the respective communities and there will be a scramble for Government posts amongst the different communities But the sooner such a scramble is set at rest the better for all concerned, better for the peace and tranquillity of the country It was only recently that after mature deliberations and consultations with the leaders of the scheduled castes we have decided to set apart 15 per cent. of the appointments for the scheduled castes. I know that there is a grievance with regard to the reservation for the Scheduled Castes that 15 per cent would be filled up from amongst the members of the Scheduled Castes if and when suitable candidates are available. The result has been that in many cases the scheduled castes have not been appointed and that the appointments have gone to the caste Hindus There is a very strong and widespread feeling that this limitation as regards the recruitment of Scheduled Castes should be withdrawn. That is a very legitimate claim and we are considering that question. It seems to me to be a point that our Scheduled Caste friends suffer from a restriction which does not appear in the case of other communities. To that extent we are prepared to meet our Scheduled Caste friends but as regards reservation up to 25 per cent. my friends would realise that it is not possible for us to say straightaway that this resolution can be accepted by Government. As I have pointed out, the acceptance of this resolution means a dislocation of the arrangements that have been made for recruitment of other communities. The whole question has got to be reviewed and I would ask my Scheduled Caste friends to consider whether it would not be best in the interests of the country as a whole to wait and see how the communal formula that we have laid down works out in practice and how far it redounds to the benefit of the various communities of this country. This formula has been in work for only about a couple of years. It has got to be adjusted to various conditions and it is still an experiment. We have got to see how far it reacts on the question of efficiency of the public services and when this experiment has gone on

for some time, then it will certainly be the occasion for consideration of readjustment as between the conflicting claims of the various communities.

Sir, I will request my friend not to press this motion at this moment as I have said we will bear this matter in mind and the debates that have taken place will give us ample materials for considering this question in future. At the present moment it would be unwise and I am advising as a friend and as a sympathiser not to disturb an arrangement which has been recently made and which has not yet had a fair trial. Let that arrangement have a fair trial and in the light of experience that may be gained, we will be prepared to consider this question. Meanwhile what I will ask my Scheduled Caste friends to do is to go ahead with their efforts at self-improvement to remove the reproach that they are a backward community. Let them remember that they are members of a community with a great past and that they themselves are not merely members of the great Hindu community but as Bengalees they have also every right to demand that all the amenities that are open to others should also be thrown open to them. Let them take advantage of the opportunities that are offered Let them approach Government for greater opportunities for self-improvement and side by side with that let them wait and see how this experiment of reserving posts for various communities actually works out in practice

Now, before I sit down I wish to state for the information of my Scheduled Caste friends that if in the operation of the rules that we have laid down there has been any hardship or any reasonable causes for complaint, we will be too glad to see that these causes of complaint do not exist.

Sir, I will sum up in two or three sentences. The first is undiluted sympathy; secondly, the holding out of the best possible hope; thirdly, we offer to help them in all their efforts at self-improvement; and fourthly, to remember that we of the non-Scheduled Castes are the best friends of the Scheduled Castes and remembering that we offer our services to help them so far as the Communal Ratio Rules are concerned. Fifteen per cent. has not been found really unsatisfactory, but let us see that more candidates are forthcoming.

So, I appeal to the Rai Sahib to withdraw his resolution.

**Mr. RASIK LAL BISWAS:** আমরা definite কি পাচ্ছি তা জানতে চাই। 15 per cent. তাও পাওয়া যাচ্ছে না, তা পাবার কি ব্যবস্থা হবে? আমাদের কেহই এই definite assurance দিচ্ছেন না যে service ratioর মধ্যে এই যে 15 percent, সেখানে আমাদের কোন difficulty raised হবে না। সে বিষয়ে গভর্ণমেণ্ট আমাদের assurance কি দিচ্ছেন?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I can say this that if the 15 per cent. ratio has not been properly adhered to we will be prepared to make the fullest possible enquiry why it has not been so done and we will try to give the fullest effect to the present proportion whatever it is

**Mr. RASIK LAL BISWAS:** Will the question of suitability of candidates in the case of Scheduled Castes be dropped?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** We are considering to drop it from the rules, but as regards the rules we will see that the fullest effect is given to the present rule. I appeal to my friend to withdraw his resolution.

**Rai Sahib ANUKUL CHANDRA DAS:** Sir, I thank the Hon'ble the Chief Minister for his promise to reconsider the Services Recruitment (Communal Ratio) Rules and I also thank my other friends who have showed sympathy for my resolution, and in view of the statement made by the Hon'ble Chief Minister I beg leave of the House to withdraw my motion.

The motion of Rai Sahib Anukul Chandra Das, that this Assembly is of opinion that the rules 7 (*1*) and (*9*) and the provisos thereto of the Bengal Services Recruitment (Communal Ratio) Rules, 1940, be amended as follows:—

"7. (*1*) Of all vacancies to be filled up by direct recruitment of any service, department or office or branch of any service, department or office to which these rules apply, 25 per cent. shall be reserved for the members of the Schduled Castes,

(*9*) Where direct recruitment is made by competitive examination or otherwise in any service, department or office, or branch of any service, department or office to which these rules apply and qualified candidates of the Scheduled Castes are insufficient in any year to fill up all the posts reserved for them, the vacancies shall be left unfilled till qualified candidates from the Scheduled Castes are available to fill up all such posts and in no case the vacancies reserved for the members of the Scheduled Castes be filled up by the candidates of the non-Scheduled Castes,"

was then, by leave of the House, withdrawn.

**Mr. DHIRENDRA NATH DATTA:** Sir, may I be permitted to move the resolution that stands in my name?

**Mr. DEPUTY SPEAKER:** Mr. Datta, I think resolutions Nos. 1 and 6 are almost identical and under the Assembly Procedure Rules I cannot allow identical motions to be moved. I think it will not be permissible.

**Mr. DHIRENDRA NATH DATTA:** Sir, they are not exactly identical. Resolution No. 1 refers to persons convicted or detained by orders of the Government of Bengal under the Defence of India Act and Rules while my resolution refers to persons detained without trial by orders of the Government of Bengal under the Defence of India Act and Rules framed thereunder.

**Mr. DEPUTY SPEAKER:** I hold that it is almost identical with resolution No. 1 and I cannot allow it, being of the same nature

**Mr. ABDUR RAHMAN SIDDIQI:** Mr. Deputy Speaker, I shall not take much time of the House on the resolution, as in the agenda, against my name. I am particularly anxious that I should not be misunderstood and that there is nothing personal against anybody in my resolution. I remember the agitation in almost every part of this House when we discussed and rediscussed in Select Committee and in the House the question of the Secondary Education Board. The argument then brought up was that the Government was trying to obtain too much influence for itself in that body which should really be autonomous. Since the change in the Government, as a Fellow of the University, which is an autonomous body, I have been concerned very seriously over the fact that two members of the Cabinet, great servants of the University and who have rendered valuable service to it, have accepted posts in the present Council of Ministers. One would have expected that under the vigilant eye of these well-wishers of the University it would, more now than at any other time, be the policy of the Government to see that the liberty of autonomous institutions was not interfered with.

The point on which I want to appeal to Government and over which I know that members of the Senate, members of the Syndicate and every person interested in the welfare of the University, have been disturbed greatly is that the present Government contains within it these two gentlemen who wield a powerful influence in the affairs of the University and if allowed to retain that influence, the autonomy of the University will go to pieces. I am particularly anxious, Sir, that the two Ministers, out of the great love they bear for the University which may, in terms, be described as almost a family affair, should be stopped from meddling with the day-to-day administration of the University and the only link between the Government and the University should be the Minister for Education.

Students of constitutional history know the resolution that was brought in the House of Commons that the influence of the Crown is increasing and that it would be decreased. I want to repeat that great constitutional principle and declare that the influence of Government in the University is increasing and that it should be decreased. It is only fair to the University, to the public life of the province, to the educational system and the educational world of this province that Government, in its wisdom, should decide voluntarily to withdraw these two Ministers from not only the membership of the Syndicate but from the thousand and one other departments which they control directly and indirectly.

I appeal once more to the Education Minister and to his colleagues in the Cabinet to come to our help and to let us retain our autonomy. If we go wrong, Government can always pull us up. Just as these same gentlemen thought that the slightest interference on the part of the Ministers in matters connected with the Corporation would be considered to be an attack on the civic liberties of the citizens, on the autonomy of the Corporation, similarly, Sir, I stand here today and speak in the name of the University. I hope Government will be pleased to accept my resolution which I formally move and which reads thus:

"This Assembly is of opinion that the presence of two Members of the Council of Ministers of the Government of Bengal in the Syndicate of the Calcutta University affects the autonomous working and day-to-day administration of that body."

## Adjournment.

The House was then adjourned at 5 p.m., till 8-30 a.m., on Tuesday, the 24th March, 1942, at the Assembly House, Calcutta.

# Proceedings of the Bengal Legislative Assembly assembled under the Provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Tuesday, the 24th March, 1942, at 8-30 a.m.

**Present:**

Mr. Deputy Speaker (MR. SYED JALALUDDIN HASHEMY) in the Chair, 8 Hon'ble Ministers and 206 members.

## STARRED QUESTIONS

**(to which oral answers were given)**

### Medical treatment centres for malaria, etc., in Jessore.

***191. Mr. A. M. A. ZAMAN:** (*a*) Will the Hon'ble Minister in charge of the Public Health and Local Self-Government Department be pleased to state whether—

(*i*) medical centres are opened; and

(*ii*) medical officers are maintained in malaria-affected areas?

(*b*) Is the Hon'ble Minister aware—

(*i*) that there was a general outbreak of malaria, kalazar and dysentery in the Chandibarpur Union Board, police-station Narail, Jessore;

(*ii*) that a medical centre was opened in December last at village Shankarpur and a medical officer was posted there for two months only; and

(*iii*) that the people of the said union board are still suffering from malaria, kalazar and dysentery in large numbers?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state the reasons for discontinuance of medical aid from the said union board?

(*d*) Is the Hon'ble Minister considering the desirability of opening a medical centre at an early date in the same village of the said union board with facilities for injection in cases of kalazar and dysentery?

(*e*) Will the Government be pleased to state—

(*i*) what is the birth and death rates of the said union board for the years 1940 and 1941; and

(*ii*) what are the diseases that caused the increasing deaths?

**MINISTER in charge of the PUBLIC HEALTH and LOCAL SELF-GOVERNMENT DEPARTMENT (the Hon'ble Mr. Santosh Kumar Basu):** (*a*) Yes, medical treatment centres are opened by local bodies in their respective areas. If necessary, temporary medical licentiates are deputed by Government on receipt of reports of epidemic and requisitions for their services by the local bodies.

(*b*) (*i*) Yes.

(*ii*) A malaria treatment centre was opened by the District Board of Jessore with the help of an epidemic doctor deputed by the Director of Public Health at Panjrakhali which is just on the other side of the river opposite Chandibarpur village and is also badly affected with malaria. One doctor was deputed by the Director of Public Health to carry out anti-malaria work in the locality for two months from 23rd September, 1941. On the expiry of his term another doctor was appointed for 3 months with effect from 28th November, 1941, and was instructed to look after two malaria treatment centres, one at Shankarpur-*cum*-Chandibarpur and the other at Panjrakhali.

(*iii*) Malaria still prevails but attacks from other diseases are very small.

(*c*) The District Board has already been requested by the District Magistrate for continuing the centre for two months more in charge of the medical officer fully equipped with medicines and instruments for injections. Government have no intention to discontinue medical aid if the circumstances of the locality demand it and are reported by the District Board or District Magistrate with facts and figures.

(*d*) Does not arise.

| | Year. | Birth rate. | Death rate. |
|---|---|---|---|
| (*e*) (*i*) | 1940 .. .. .. | 24·9 | 24·9 |
| | 1941 .. .. .. | 24·5 | 29·4 |

(*ii*) Malaria.

**Government grant for reconstruction of school and madrassa buildings.**

***192. Mr. SYED ABDUL MAJID:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state the total amount of money sanctioned by Government for repair and reconstruction of the school and madrassa buildings damaged in the Bakarganj district and in the Chittagong Division by the last cyclone?

(*b*) How much money has been allotted for the district of—

(1) Bakarganj; and

(2) Noakhali?

(*c*) Will the Hon'ble Minister be pleased to state separately the amounts that have been paid to each of the said districts up to the 31st January, 1942?

**MINISTER in charge of the EDUCATION and COMMERCE and LABOUR DEPARTMENTS (the Hon'ble Khan Bahadur M. Abdul Karim):** (*a*) Rupees two lakhs

(*b*) (1) Rs.1,25,000.

(2) Rs.75,000 for the Chittagong Division. No separate amount has been allotted to Noakhali.

(*c*) (*i*) Bakarganj Rs.57,866

(*ii*) Noakhali Rs.48,000.

**Mr. SYED ABDUL MAJID:** Will the Hon'ble Minister in charge be pleased to state what was the estimate that was received by Government for the repair of school houses and Madrasah buildings damaged by the cyclone in Barisal and in the Chittagong Division?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** The total amounts sanctioned are stated in the answer, viz., Rs. 1,25,000 for Barisal and Rs. 75,000 for the Chittagong Division.

**Mr. SYED ABDUL MAJID:** Were no estimates received?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** Estimates must have been received and on the basis of those estimates the amounts mentioned in the answer were granted.

**Khan Bahadur MOHAMMED ALI:** Will the Hon'ble Minister be pleased to state on what basis the amounts of Rs 1,25,000 for the district of Barisal and only Rs. 75,000 for the whole of the Chittagong Division were calculated and allotted?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** On the extent of the damages actually occurring.

**Mr. DHIRENDRA NATH DATTA:** Will the Hon'ble Minister be pleased to tell us whether any amount was spent for the district of Tippera?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** I want notice. Probably a lump grant was made for the Chittagong Division. That must have included the amount for the districts of Noakhali and Tippera.

**Mr. DHIRENDRA NATH DATTA:** Is it a fact that damage was caused by the cyclone to school buildings in the district of Tippera?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** Must have been.

**Mr. SYED ABDUL MAJID:** Will the Hon'ble Minister be pleased to state if any further sum would be paid for the Noakhali district?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** The figure given shows the payments actually made up to the 31st January, 1942. Further payments must have been made during this interval.

**Mr. SYED ABDUL MAJID:** I want to know what was the amount?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** That I cannot tell you just now.

### Establishment of a School Board in Rajshahi district.

***193. Maulvi MANIRUDDIN AKHAND:** (*a*) Will the Hon'ble Minister in charge of the Education Department be pleased to state whether it is in the contemplation of Government to start a District School Board in the Rajshahi district?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state when it will be started?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** (*a*) Yes.

(*b*) Not till the economic condition of the district improves.

**Khan Bahadur MOHAMMED ALI:** *Will the Hon'ble Minister be pleased to state if he is aware that the people of the district of Rajshahi are very anxious to have a District School Board established as early as possible?*

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** I do not know, but the Collector of Rajshahi and Commissioner of the Rajshahi Division as also the Revenue Department of the Government of Bengal are against the imposition of any cess this year having regard to the fact that the Revenue Department has already given over Rs. 1,25,000 as agricultural loan.

**Mr. SHAHEDALI:** Will the Hon'ble Minister be pleased to state whether the people of the Rajshahi district are prepared to pay Education Cess for Primary Education in that district.

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** I presume not.

**Maulvi MANIRUDDIN AKHAND:** Is the Hon'ble Minister aware that the Rajshahi District Board has adopted a resolution accepting the scheme?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** I am not aware.

**Mr. H. S. SUHRAWARDY:** Is it the policy of Government that wherever agricultural loans are outstanding, District School Boards should not be established?

**The Hon'ble Khan Bahadur M. ABDUL KARIM:** Not as a hard and fast principle

**Establishment of Co-operative Credit Societies in certain parts of Mymensingh.**

***194. Khan Sahib HAMIDDUDDIN AHMED:** (*a*) Is the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department aware that there is a demand amongst agriculturists of Austagram, Nikhli, Bajitpur, Bhairab and Kuliarchar police-stations of Mymensingh for the establishment of Co-operative Credit Societies?

(*b*) Will the Hon'ble Minister be pleased to state—

(*i*) the number of villages in those five police-stations separately; and

(*ii*) the number of Co-operative Credit Societies at present existing in each of those thanas showing number of new societies that have been established in 1940 and 1941 separately?

**MINISTER in charge of the CO-OPERATIVE CREDIT and RURAL INDEBTEDNESS DEPARTMENT (the Hon'ble Khan Bahadur Maulvi Hashem Ali Khan):** (*a*) Applications were received for the organisation of Co-operative Societies, but they were wanted mainly as a measure of temporary relief in areas affected by flood and not for supplying the normal seasonal requirements of the members in respect of cultivation loan.

(*b*) A statement is laid on the Table.

*Statement referred to in reply to clause (b) of starred question No. 194.*

(*i*) The number of villages in the following police-stations—

| | Name of police-station. | Number of villages. |
|---|---|---|
| 1 | Austagram .. .. .. | 53 |
| 2. | Nikhli .. .. .. | 108 |
| 3. | Bajitpur .. .. .. | 89 |
| 4. | Bhairab .. .. .. | 32 |
| 5. | Kuharchar .. .. .. | 46 |
| | Total .. | 328 |

| (*ii*) Name of police-station. | No. of Credit Societies existing at present. | Number of New Societies established in the year— 1940. | 1941. |
|---|---|---|---|
| 1. Austagram .. .. | 4 | .. | .. |
| 2. Nikhli .. .. | 12 | .. | 1 |
| 3. Bajitpur .. .. | 18 | 3 | .. |
| 4. Bhairab .. .. | 137 | 19 | 21 |
| 5. Kuliarchar .. .. | 68 | 14 | 36 |
| | (*a*) 239 | (*b*) 36 | (*b*) 58 |

(*a*) includes (*b*).

**Khan Sahib HAMIDUDDIN AHMAD:** Is the Hon'ble Minister aware that the demand was made by the villagers where there was no society in existence and by people whose requirements could not be met by the scanty help that was given by Government as temporary relief?

**The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN:** As I said in reply (*a*) petitions were filed for taking loans by way of relief measure but the Co-operative movement is not meant for that. We want permanent societies to give seasonal relief at the time of cultivation.

**Khan Sahib HAMIDUDDIN AHMAD:** Is the Hon'ble Minister aware that many petitioners were in need of money to meet their cost of cultivation?

**The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN:** For the time being for a particular year, but the society is not meant for any particular year.

**Mr. NIKUNJA BEHARI MAITI:** Will the Hon'ble Minister be pleased to state if there is any bar in starting Co-operative Credit Societies in areas where there have been farms? Such societies may lead to permanent societies when the time will come.

**The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN:** If they want it for that purpose to form permanent societies the department will be too glad to accord sanction to it, but if they want only for a particular season or for a particular year in that case the Co-operative Department cannot do anything.

**Khan Sahib HAMIDUDDIN AHMAD:** Will the Hon'ble Minister be pleased to tell us how the Government propose to meet the demand of those people who have no other alternative of getting relief?

**The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN:** That is a matter for the consideration of the Revenue Department. I cannot say.

**Mr. DHIRENDRA NATH DATTA:** Will the Hon'ble Minister be pleased to state whether the applications that were received for the establishment of co-operative societies in this district were for temporary or permanent societies?

**The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN:** I am not in possession of those applications which were received by local officials and forwarded to the Registrar of Co-operative Societies. So far as I am aware they were for societies of a temporary nature.

**Mr. NIKUNJA BEHARI MAITI:** Will the Hon'ble Minister be pleased to state whether those applications were made for permanent societies or temporary societies and, if so, whether he will be pleased to enquire into the matter?

**The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN:** Yes, certainly.

### Sale of country spirit in Darjeeling district.

***195. Mr. DAMBAR SINGH GURUNG:** Will the Hon'ble Minister in charge of the Excise and Forest Department be pleased to lay on the Table a statement showing the figure of sale of country spirit in the following subdivisions in the district of Darjeeling for the periods—

(*a*) July, 1939, to December, 1939;

(*b*) July, 1940, to December, 1940; and

(*c*) July, 1941, to December, 1941, in-

(1) Sadar subdivision,

(2) Kurseong,

(3) Siliguri, and

(4) Kalimpong?

**MINISTER in charge of the FORESTS and EXCISE DEPARTMENT (the Hon'ble Mr. Upendra Nath Barman):** A statement is laid on the Table.

*Statement referred to in reply to starred question No. 195.*

| | July, 1939, to December, 1939. | July, 1940, to December, 1940. | July, 1941, to December, 1941. |
|---|---|---|---|
| | L. P. Gallons. | L. P. Gallons. | L. P. Gallons. |
| (1) Sadar Subdivision .. | 3,143 | 3,102 | 4,016 |
| (2) Kurseong .. | 2,652 | 2,552 | 3,113 |
| (3) Siliguri .. | 6,655 | 7,342 | 7,660 |
| (4) Kalimpong .. | 2,951 | 3,258 | 5,620 |

### Point of Privilege.

**Dr. SURESH CHANDRA BANERJEE:** From notices sent to us, Sir, it appears that motions for demands for grants will be moved tomorrow afternoon and of the ten heads to be taken up one is "47—Miscellaneous Department" and another is "Labour". You know, Sir, that "Labour" is an important subject and I am afraid that if an important subject like "Labour" is discussed in the afternoon, we may not get proper and sufficient opportunities for want of time. I would, therefore, draw your attention to this matter and like to have an assurance from you that at least during the discussion on "Labour" sufficient time will be given.

**Mr. DEPUTY SPEAKER:** The time allotted has been fixed by His Excellency the Governor, but if a little more time is required, certainly I shall try to accommodate you.

## DEMAND FOR GRANTS.

### 42—Co-operation.

**The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN:** Sir, on the recommendation of the Governor, I beg to move that the demand of Rs. 16,78,000 be granted for expenditure under the head "42—Co-operation."

**Khan Sahib HAMIDUDDIN AHMAD:** Sir, I beg to move that the demand of Rs 16,78,000 under the head "42 - Co-operation" be reduced by Rs. 100.

Mr. Deputy Speaker, Sir, the object of my cut motion is to raise a discussion about the failure of the Government to formulate any comprehensive scheme for the co-operative movement in Bengal in general and also for giving adequate credit facilities to the rural people in particular.

Sir, the problem of redeeming the old debts of the rural people is no less pressing than the question of their credit facilities today. The village people require and require very urgently a machinery through which they can secure credit for their day-to-day work and for meeting the normal demand of their creditors as well.

When almost the whole agricultural population of rural Bengal was groaning under the heavy pressure of debt and all their belongings including their lands were about to go into the hands of their creditors Government came to their rescue and arranged for a temporary relief

by putting the Agricultural Debtors Act into operation. But, Sir, this measure of debt relief would be of no help in the long run unless the State is substituted as the creditor for them in times of need. The Government of the day has miserably failed in this respect. A good portion of the debt of rural people has been advanced on the security of the land and even unsecured loans in most cases ultimately fall on the land. Unless the Government make suitable arrangement for rural credit at no distant date most of the rural people will turn into landless beggars or labourers.

Sir, the only solution of this intricate problem of rural indebtedness and agricultural finance is the expansion and reorganisation of the co-operative movement. The working of the department has not at all been a success in the past. The problem of rehabilitating the entire movement through its credit side has become more acute than ever before. So far the economic side of the movement has been totally ignored. The societies should be put on a sound working basis so that all these co-operative institutions may earn the confidence of the people in order that they may not only function as a means of supplying credit to the members but that they will be able to pursue co-operative principles for the proper application of the credit facilities for productive purposes. Government must see that the original purposes of these societies—namely, the infusion of new capital in the agricultural industry and the liquidation of the indebtedness of the agriculturists—are fulfilled. But, Sir, whatever be the reason, the fact remains that this purpose still remains unfulfilled as before. These societies have been largely confined to serving the credit needs of the agriculturists and they never went into those other fields of co-operative enterprise which would have aimed at raising the productivity of the land.

A legislative measure like the Moneylenders Act only cannot save our people from the tyranny of the usurious money-lenders except by the growth of the co-operative movement and more by the habits of thrift inculcated by that movement. It has been rightly observed by the Royal Commission on Agriculture that "where thrift is absent, the vagaries of the monsoon drive the people to borrow and unless the co-operative movement spreads into every village and includes every inhabitant in its fold, borrowing will continue.....To a very great extent the cultivator in India labours not for profit nor for a net return nor for a subsistence. The crowding of the people on land, the lack of alternative means of securing a living, the difficulty of finding any avenue of escape and the early age at which a man is burdened with dependants combine to force the cultivator to grow food wherever he can and on whatever terms he can. Where his land has passed into the possession of his creditor no legislation will serve his need, no tenancy law will protect him, for food he needs land and for land he

*must plead before a creditor to whom he probably already owes more than the total value of the whole of his assets.*" It is, therefore, extremely probable that any legislative measure designed to relieve the agriculturists and debtors without at the same time providing for finance and credit will fail to achieve its purpose. Lack of credit at the proper time compels the agriculturists to rush for sale of his lands at any price to the advantage of the capitalists and of late such transfer has increased to a great extent.

Sir, the condition of the middle class non-agriculturists who mainly depend upon their limited income out of the land he possesses is hopelessly awkward. They borrow but they do not know from what source to pay and how to pay back. Average people of this class are drowned in debt a large portion of which is hereditary. The loans they took were entirely unproductive. It is the paramount duty of the Government to take over the responsibility of redeeming these debts along with the accumulated debts of the agriculturists. The people of rural Bengal constitute the State and their assets, whatever they are, are the assets of the State. Under such circumstances Government will not run the risk of losing anything in shouldering the responsibilty. With a view to achieving this object the previous Government took up the scheme of establishing Land Mortgage Banks and provided money for five such banks in the current year's budget but the so-called progressive Ministry has failed to give effect to the scheme The Government should not falter in taking up a progressive scheme of establishing a Land Mortgage Bank in each subdivision and organise one co-operative bank in each union without any delay. The previous Government allotted, as can be seen from the budget, a sum of Rs. 1,32,000 for loans to non-agriculturists of some places. This was a right move in the right direction but the present Government has totally ignored that class of people and their requirements.

As for the agriculturists the volume of their debt is so vast and its burden is so pressing that the orthodox principles of credit improvement would scarcely avail in all cases. Many of the agriculturists' debts have far exceeded the total value of all they possess and their net earning of the year is not sufficient even to meet the legal claim on account of interest of their creditors. Other cases are such that the debtors must have paid several times over, taking the debt in the aggregate. The idea of complete cancellation of the whole of such debts must have to be considered by the Government. This has been employed by the leading nations of the world in respect of their national debt owed to non-nationals.

Agriculturists constitute the vast majority of the total population of Bengal. It is they who form the backbone of the nation, and it is they who produce money and distribute it to the different branches of

supply of revenue and the State is bound to nurture them properly. The nation cannot prosper unless the condition of this class of people improves. Failure on the part of the Government to formulate a definite scheme of rural credit has been one standing scandal in this province. The Government should at once look into the proper functioning of the rural credit societies already in existence and at the same time should organise at least one such society in each village on the average. Short-term loans are indispensable for the cultivators to grow their crops, as for instance, purchase of cattle and seeds, etc. Other sources of rural credit having become totally dried up for various reasons and in the absence of such credit arrangement by the Government reckless sale of land by the agriculturists has become the order of the day and the result is going to be disastrous. There was provision for Rs. 60,00,000 this year for granting short-term loans to co-operative agricultural societies. The legitimate demand of the agriculturists of the *bhati* area of Kishoreganj subdivision as well as of other such places for short-term loans has been refused. The prayer of the agriculturists of Bhairab, Austagram, Nikhli and of many other places for getting such loans has been rejected. It is much to be regretted that the Government have shamelessly shown an unspent amount of Rs. 14,74,000 on this account on the face of all-round demands by the needy. Many such cultivators had to part with their lands due to the inactivity, rather callousness, of the department. I am sure the Hon'ble Minister owes an explanation on this question.

Due to gloomy prospect of jute crop next year and for the bad time the agriculturists had to pass this year due to flood, cyclone, etc., and for the political situation as well the demand for loan is sure to be heavier, but in the coming year also Government have provided the same amount of Rs. 60,00,000. I can say without any fear of contradiction that this is not at all sufficient. If the Government really want to save the agriculturists which they profess to do they must come forward with more money and organise agricultural societies in places wherever there is demand.

The rural people are today confronted with a pitiable situation for want of any other facility for credit. This is the problem of all problems before the Government for immediate solution.

With these few words, I commend my motion for acceptance of the House.

**Mr. SIBNATH BANERJEE:** Sir, I beg to move that the demand of Rs. 16,78,000 for expenditure under the head "42—Co-operation" be reduced by Rs. 100. Mr. Deputy Speaker, Sir, each for all and all for each is the fundamental principle on which the co-operative movement is based. I am afraid I shall have to go into the A B C of

these fundamentals. Translated into economic language it means that the whole process of production and distribution will be carried on in a co-operative spirit and by the co-operative movement. Today capitalism is reigning throughout the world and to speak of the co-operators controlling production and distribution might sound a little strange, but the co-operators who initiated the movement actually had that dream and with that dream the movement was started. That movement has crossed the seas and come into this land and about 30 years ago the movement was initiated in this country. But, alas, the fundamental principle has been altogether lost sight of. The question of production and distribution is not thought of at all and in this country co-operation is almost synonymous with co-operative credit and rural credit at that. Of the 30,000 co-operative societies, barely 5 per cent. are producer societies and a number less than that would be distributing societies and the rest are credit societies and no attempt has been made by co-operatives to develop on the line of production and distribution.

Sir, this subject I raised on the last occasion during the budget cut motion, but for the present let us leave aside the question of a new orientation of the movement towards tackling the complex and complicated problem of production and distribution and let us examine for a moment the movement as it is. Cases of incompetence and inefficiency, cases of failure to audit timely or audit at all for two or three years consecutively after realising heavy and excessive audit fees and cases of defalcation of huge sums of money are too numerous and sickening to be mentioned year after year in this House. The name of the co-operative itself has been thoroughly discredited, but it is really a very great potential movement with 30,000 societies, with half a million membership and with working capital running into crores. Therefore, since we came to this House and even before that we have been crying for a thorough enquiry into the working of this department so that the approach could be corrected and changed fundamentally and also the defects of the existing state of affairs may be rectified. But the ex-Minister for Co-operation would not care and the Hon'ble Chief Minister himself had often gone out of his way to assure us that everything would be remedied and rectified. But, alas, we know what the result has been. With the change of Ministry, we have again come forward with the suggestion of appointing a committee of enquiry. The movement is about 30 years old and it is high time to take stock of things even if there were not so many glaring instances of omission and commission on the part of those who are in administrative charge of the department. It may be said that this is war time and Government cannot do much regarding this matter at this time. Sir, my contention would be that because it is war time, it is all the more

necessary to give a new orientation to this movement. In these days we are about to enter into a close alliance with China and we have heard and read a lot about China. Let us look at China. What China has been able to do during four years and a half of war time? It is known to all concerned that during these four years and a half most of the industrial parts of China have been occupied by Japan and most of the industrial regions are now lost to the Chinese nation. More than 75 per cent. of the industries were in these regions, but China rose up to the occasion and by means of the industrial co-operatives they have taken at least 75 per cent. of the industries into the inner regions and re-established there and now the production is more than what it was before in those industrial regions. There are 30,000 co-operatives functioning today in China and that is the place where we should look for a model of what the co-operative movement here can do.

Let me here read out what Dr. C. J. Pao, Chinese Consul-General, Calcutta, and Mrs. Pao, said in their recent radio speeches on "Co-prosperity in Action": "These industrial co-operatives, almost 30,000 in number today, are not only economic in nature but educational as well. They have supplied many of the war time demands of the country as well as met the needs of everyday life of the people, particularly in rural districts. Vocational education has been brought to the co-operatives which has helped extensively the solution of the Chinese social problem. More than 75 per cent. of Chinese industries have been removed from the occupied territories and removed to the interior and are being run by the industrial co-operatives."

Sir, I can also quote from several other booklets which were published by the Chinese co-operatives. Madame Sun Yat-sen in her message to the World Youth Congress said: "Japan destroys not only our families and homes. She seeks above all to destroy our modern industries in order to make our people agrarian slaves. She already has smashed and seized 75 per cent. of our machine industry and left more than a million workers jobless. In answer to this holocaust we do not lose hope. Our people and our Government are determined to rebuild productive power even during wartime."

"Through co-operatives we hope to absorb refugees"—and by the way, ten thousand and more refugees are coming to Calcutta today from Burma—"and divert millions in relief funds from unproductive refugee camps in Japanese-occupied areas, where our destitute compatriots are merely kept alive until the Japanese are ready to exploit them. Industrial co-operatives can maintain the economic stability of our internal market, and thus avoid chaos in the villages even if the Japanese occupy all our cities. They can utilise idle workers, keep our

soldiers clothed and fed, avoid famine and other consequences of economic dislocation, support prolonged resistance, and make Japanese occupation of our cities entirely profitless."

I think I need not quote any more. Whatever I have quoted from Madame Sun Yat-sen and Dr. C. J. Pao will give us some idea as to what potentialities these co-operatives have. In war time there is another aspect to which our attention is daily drawn. Prices are soaring high and the necessaries of life are not only too dear but sometimes not available at all. We have not much experience here yet, but in the Punjab and United Provinces, for instance, it is very difficult to get wheat and in this sphere also the co-operatives can come to our rescue—the rescue of the wage-earners and people of small means.

Here let us look at Russia. I am not talking of Russia after the Revolution, I am talking of Russia before the Revolution. In 1914 there were 15 lakhs of members in the co-operatives—consumers' co-operatives. During the war when the prices were rising they were experiencing almost the same sort of condition and difficulties that we are experiencing here, because they were also governed at that time by a thoroughly incompetent Czardom,—the prices were rising and then the co-operatives came to their rescue and within three years from 1914 to 1917 membership rose to 90 lakhs, i.e., 400 per cent. and the working capital also increased many times. Of course what happened after proletariat revolution I shall only just quote a little. In 1940 membership of Village Consumers Societies was 4 crores,—out of a population of 20 crores, let it be remembered.

I have pointed out before that the potentiality of the movement has not been tapped at all. In Bengal all that the co-operative movement is trying to do is to give cheap credit to the agriculturists and in that respect they have substantially succeeded, but after all if the income of the agriculturists is not increased, if the productive power is not substantially increased, the agriculturists cannot pay back the loans that they take and, therefore, the movement has come to grief. It is no use either changing the Act or the Rules or the Registrar or the Minister or the Ministry as such, unless the fundamental approach is different, unless the productivity is increased, unless these things are done, the peasant cannot pay back his loan and, therefore, the movement will remain in the same stalemate condition or it will be worse than what we find today. Only by using these co-operative societies—this large membership and huge working capital for productive purposes or even for distribution—for production seems to be very complicated and even if foreign Government stand in the way of developing the industries here—at least the process of distribution could have been taken up very easily and very early, and the movement could be improved. For instance, if all the jute grown in Bengal

were dealt with and marketed by the co-operative societies a few crores of rupees could be earned from marketing of jute alone. Therefore, it would not be necessary to extract the last drop of blood from the peasant to realise the crop loan or the old outstanding debts that are crushing him by their burden. Similarly if we can tackle the problem of rice and other agricultural commodities through the co-operative societies only by process of distribution and not production, mind you, then also we can make a huge profit and do a great service to the agricultural population and to the population of Bengal as a whole. I would not take much time of the House, because much time is not given in these days. Already the blue light is there I would request Mr. Deputy Speaker to give me five minutes more. (The honourable member was allowed another two minutes to speak.) I was speaking of my own experience In Howrah there was a Co-operative Central Bank. In 1937-38 it went into liquidation and it is still in the process of liquidation The liquidation process is not yet over. There was an asset of some four thousand rupees but this was not available either to the department or to those who wanted to start another Central Bank there The department is absolutely unwilling to move or is incapable of moving in the matter of liquidation proceedings.

**Dr. NALINAKSHA SANYAL:** Have the liquidators realised their fees?

**Mr. SIBNATH BANERJEE:** I do not know what is being done. That reminds me of the Jute Sales Society that went into liquidation ten or twelve years back. The process of liquidation is still going on. Rupees 30 lakhs were outstanding. These were their assets. I do not know how much has been realised or whether anything has been realised at all or whether the process of liquidation will be ever finished in our lifetime. That is the case with the Central Bank. The beauty of it is that there were only 5 Assistant Registrars before and the ex-Minister thought that five was not enough. So he increased the number from 5 to 17. There are 17 Assistant Registrars and we find no improvement. On the contrary, there have been some retrograde steps. For instance, the Assistant Registrar for Burdwan Division used to stay in Calcutta. He was easily accessible to people from Howrah, Hooghly and also from Burdwan, Bankura and other districts. Now he is staying in Chinsurah. I do not know whom he is serving, because most of the societies are in Howrah. Those which are in the Arambagh subdivision of the Hooghly district cannot go to Chinsurah unless they come to Howrah and *via* Howrah they have to go to Chinsurah. Therefore, the department has thought fit——

(At this stage the member reached his time-limit.)

I want two minutes more, Mr. Deputy Speaker.

**Mr. DEPUTY SPEAKER:** I will close the debate on Co-operation at 10 o'clock. So I cannot allow you more time.

**Mr. SIBNATH BANERJEE:** I have not yet dealt with the rules which are before us.

**Dr. NALINAKSHA SANYAL:** Debt Conciliation portion should not take one and half hours. Surely you will agree that Co-operation is one of the most important subjects. We have got only four speakers left. How will you distribute them? Let us go as usual up to half past 10 for Co-operation and up to quarter past eleven for Debt Conciliation and then the motions may be put to vote. We presume that there will not be much division today.

**Mr. SIBNATH BANERJEE:** This is a very important matter and I want some more time.

(The honourable member was allowed to go on.)

Another important society is the Co-operative Transport Society. We tried to break the ice. We thought let us start something on a new line! We tried to start the Co-operative Transport Service. For one year we had to go from door to door, from the Assistant Registrar to the Inspector and from the Registrar to the Minister, but it could not be registered and then one Assistant Registrar came and said that he would examine the bye-laws. Whatever changes he made we accepted. We accepted even the comma, semi-colon and dot suggested by the Assistant Registrar. And then we sent the amended bye-laws and even then it took nearly 9 months to get it registered and by that time the war was on. Even after that, we could not get permission to apply for registration even though we got the assurance of the then Home Minister Sir Nazimuddin that special preference would be given to Societies of this type. But up to this time Government are absolutely against giving not only any concession but even a fair deal to the Society. I would not like to speak on any other individual Society now.

Now, Sir, I come to the most important item. We had been asking for an enquiry. Instead of that, we were told "Here is a Bill coming" and when the Bill came before the House item after item we opposed because that Bill instead of giving any new orientation, all that it did was to indemnify the Registrar and give him more powers and sought to panalise the non-official workers. Now the Registrar is one I.C.S. man and even if it is not so, he is indemnified by so many provisions of the Act and the Rules. Those who are paid by the rate-payers are all

indemnified from any penalty for any fault for which they would be responsible. But the non-official workers who work honorarily for the movement are all collectively and severally made responsible and a fine so high as Rs. 25 per day is inflicted for any continued offence. For instance, if the Registrar thinks fit to issue a circular that such and such returns should be sent and if one society fails to comply with the circular, that society, its Secretary and other members of the Directorate are forced to pay Rs. 25 per day for the continuation of the offence. It is a scandalous state of things. I am glad, Sir, that the Hon'ble Minister had an opportunity of listening to the views of the co-operators who came to the conference, organised by the Co-operative Alliance the other day. I am grateful to the Alliance for organising the conference and the men who organised and those who spoke there were not agitators as perhaps the Government think that members of these benches are. Some of them, at least the prominent among them are Rai Bahadurs and Khan Bahadurs, actual or prospective. They spoke in terms which the Hon'ble Minister listened to and after he went away the conference continued under the able chairmanship of Mr. Wordsworth. He listened to further speeches on the same lines——

**Mr. DEPUTY SPEAKER:** I hope you are including item No. 22 in your speech.

**Mr. SIBNATH BANERJEE:** I am not. I have not spoken a word about it. I shall speak on that motion when the turn comes. Now, Sir, it is a state of affairs which must be mended——

**Mr. DEPUTY SPEAKER:** Order, order. Please sit down. Your time is already over.

**Maulvi MAFIZUDDIN AHMED:** Mr. Deputy Speaker, Sir, I beg to move that the demand of Rs. 16,78,000 under the head "42—Co-operation" be reduced by Rs. 100. The object of my motion is to raise a discussion about the policy pursued by the Department.

It is hardly necessary to recall the background which necessitated the introduction of the co-operative movement in the days of the Bureaucratic Government in Bengal. Let me, in passing, remind the House of only one aspect of the picture. Rural Bengal, particularly the cultivators, improvident as they were, ran in debts over head and ears. The wily and greedy *mahajans* took full advantage of the situation. The ignorant and unsuspecting peasants fell an easy prey to the rapacious greed of the money-lenders. As a result of this systematic tyranny upon the cultivators they began to lose their ancestral properties. Things came to such a pass that thousands and thousands of cultivators were compelled to take shelters in the jungles of Hill-Tippera

and Assam, their lands and their homesteads having been auction-purchased by the money-lenders. Those who elected to stay in, could do it only as serfs and street-beggars. When such an appalling state of affairs continued in the country the then Government thought it desirable to cry a halt and to launch in the co-operative movement with the avowed object of alleviating the miseries of the teeming millions of rural Bengal. It was undoubtedly a right move in the right direction. Resuscitation and rehabilitation of the rural economy was the watch-word of this movement. High hopes were built and the peasants regarded the movement as a panacea of their ills. But subsequent working of the movement utterly shatterered the high hopes and aspirations of the country. The movement of co-operation unlike that in the Punjab and America, degenerated itself into a still more oppressing money-lending agency. The movement, as ill-luck would have it, solely confined its sphere of activities to lending of money and realisation of the same with compound interest. The main spirit of the movement was absolutely lost sight of. The true spirit of co-operation was not infused in the minds of those who joined together only to secure a loan. People were not taught to distinguish between a productive loan and an unproductive loan. It would be a standing disgrace to the Co-operative Department if its member takes a loan of Rs. 250 and spends the entire amount in the circumcision ceremony of his son. Instances of thoughtless and wanton expenditures of a like nature can be multiplied.

Sir, then there came an age of oppression and repression to the co-operative debtors. People were made to remain standing in breast-high water or kept standing in the sun with their eyes turned towards the scorching sun for their failure to pay the instalment money in time. There were agitations against their atrocities in the Press and on the platform. This state of affairs continued till the end of the Bureaucratic Government.

Then, Sir, with the advent of the autonomy in the Province things took a different turn Repressions came to an end but the condition of the debtors remained as rotten as ever. Government Department and the Legislature put their heads together to evolve some scheme to improve the miserable lot of the co-operative debtors. With that end in view the Co-operative Act was amended and also a well-thought-out Debenture Scheme was conceived and a shape given. The imperative necessity of the Debenture Scheme was felt both inside and outside of the House as well as by the Government in order to scale down the inordinate heavy amount of co-operative debts pressing down on the shoulders of the peasants of Bengal. The paying capacity of the people deteriorated very much, but the debts began to swell as ever. It must be admitted that special Debt Settlement Boards have been set up in

some of the Central Banks within the Province. But here, too, I am constrained to observe that scaling down of the debts is not very often as it should be.

Sir, when the Hon'ble Khan Bahadur Hashem Ali Khan was not a Minister, I have always seen him very much sympathetically disposed towards the poor co-operative debtors and particularly an ardent advocate of the Debenture Scheme. Sir, I know if we mean business we should not indulge in throwing dirt at each other. Unfortunately, this appears to be one of the policies of the present Ministry. The other day we heard Khan Bahadur Karim in the House condemning the free Primary Education Act, Bengal, as a piece of electioneering legislation. Does he not feel that it is too late a cry? I am sure nobody has cared to give any consideration to the foam and froth as according to the revelations of Khan Bahadur Karim himself the cancer passed over his head.

Sir, there is no use in throwing and counter-throwing mud at each other Let us mean business. Let us go ahead. The testing time has come for the Hon'ble Khan Bahadur Hashem Ali Khan. He himself advocated the Debenture Scheme and God has given him the opportunity to put it into execution But unalloyed sincerity will be demanded of him. I am certain if he sincerely approaches the problem, he can easily solve it. If the Debenture Scheme is not put into execution within a reasonably short period the country will be forced to conclude that Khan Bahadur Hashem Ali Khan is not sincere in his professions. In that case he may earn the epithet "Like *Guru*, like *Shishya*"

Sir, it appears that with the formation of the present Cabinet the police-temper of some of the officers of the Co-operative Department is reviving and I am taking this opportunity to place some instances of oppressions to the pointed attention of the Hon'ble Minister in charge of the Department. I hope the Hon'ble Minister will take early steps to redress the grievance. Sir, Babu Jnanendra Nath Sen Gupta, an Inspector, Co-operative Societies attached to the Comilla Central Bank, went to the Duaira Junior Madrasah within police-station Dubidwan, Tippera, on 27th February, 1942 for collection of loans. He called Maulvi Mukshad Ali, Secretary of the Khiraikandi Joutha Bank, and demanded money from him. The Secretary pleaded inability to pay on that day as he could not collect money from other debtors. But the Inspector filthily abused him and confined him in the Madrasah premises for long six hours. That day was a Friday and at the *Jumma* prayer time the Secretary verbally prayed to the Inspector for permission to go to the mosque and say his prayers. But the Inspector in a police-temper refused him permission. Consequently the Secretary could not say his prayers. The Secretary is a respectable man of the locality. He felt very much insulted and humiliated. The

Secretary then put in a written complaint to the Assistant Registrar of the Tippera Division. No action has been yet taken. Reports of similar treatment by the said officer have reached me. He has made himself very much unpopular in the locality. The movement in Tippera will suffer very much if the Inspector is kept there. A man of imperialistic temperament ill fits the department which deals with poor unlettered cultivators. I appeal to the Hon'ble Minister to see that Tippera gets rid of him.

Sir, before I resume my seat I must say that the cultivators in Tippera are passing through very miserable days. Genuine cases of starvation have been reported to me. It is not unlikely that people will die of starvation this year. The floods and the cyclone have brought in all these miseries for the people. The Co-operative Department must rise up to the situation. More money will be required this year. I appeal to the Hon'ble Minister to be more liberal this year in the matter of sanctioning loans to the Central Banks.

With these words, Sir, I commend my motion to the acceptance of the House.

**Mr. SIBNATH BANERJEE:** Mr. Deputy Speaker, Sir, I beg to move that the demand of Rs. 16,78,000 for expenditure under the head "42—Co-operation" be reduced by Rs. 100. The object of my motion is to raise a discussion on the activities of the Bengal Co-operative Insurance Society, Limited.

Sir, with regard to the Bengal Co-operative Insurance Society about which I wish to say a few words, it is like whipping a dead horse because that Society has been merged in the Arya Insurance Company. It is needless to emphasise the need of insurance in these days of war. The Insurance Companies have been doing enormous business and are making huge profits by insuring the lives of a large number of people. Not to speak of foreign companies, even Indian companies like the Oriental, the Hindusthan and others are realising crores of rupees from their policy-holders. Originally the idea was that this Insurance Society would be controlled by the Co-operative Department and for a period of ten years it continued to function under the supervision of the Registrar of Co-operative Societies. But only recently, about six months back, it was found that the Society had incurred a deficit of Rs. 50,000. Sir, on behalf of the policy-holders we went from door to door beginning from the Registrar of Co-operative Societies to the Hon'ble Minister-in-charge and the Hon'ble Chief Minister for this Rs. 50,000 in order to save this Society from going into liquidation. Now, there are 30,000 societies and if the Registrar or the department would secure ten lives to be insured from each society, it would mean

insuring three lakhs of people, and that would be almost equal to the insurance work of the Hindusthan, the Oriental or any other first class Insurance company. But far from doing that, the Co-operative Department could not run the Society, although it is a fact that this Society had absolutely been run by the Department and the departmental officers had been in charge of this Society and the Registrar was on its Working Committee. But in spite of these facts nothing has been done by the Department to save the Society and I demand an enquiry as to why and how it did not succeed and could not even secure Rs. 50,000 and why it was allowed to be merged in the Arya Insurance Company. I think the good name of the co-operative movement in Bengal has been dragged into the mire when officer after officer issued circulars saying that it was an insurance company run, controlled and audited by Government. And even when I approached the Registrar he nonchalantly said that this society would have to go into liquidation and that the Department was unable to help it This shows that a great injustice has been done to the co-operators by the inefficiency of the Department which has gone to such a strait that it cannot even find the sum of Rs. 50,000 to save it from utter ruin. Fortunately, however, the Arya Insurance Company came forward and has saved it from a crash. I would request the Hon'ble Minister to hold a thorough enquiry as to why it has failed. I would also ask him to see again if it is at all possible to start another co-operative insurance society on the same lines as had been done before.

Then, Sir, a notice has been served on us by the Assembly Secretary that the last date for sending amendments to the draft co-operative rules is the 26th of March. I would request the Hon'ble Minister through you, Sir, to extend the time by at least 15 days so that members of this Assembly may have sufficient time to suggest amendments to the draft rules which were published in the *Calcutta Gazette* on the 26th February. As far as I know honourable members have not yet sent in any amendments. The Bengal Co-operative Alliance and the Bengal Provincial Co-operative Bank have sent in amendments but I think some more time should be given to members of this House so that they can see the rules and send in notices of amendments in the interests of their constituencies and also in the interest of the co-operative societies themselves. With these words, Sir, I commend my motion to the acceptance of the House.

**Maulvi MUHAMMAD ISRAIL:** Mr. Deputy Speaker, Sir, I beg to move that the demand of Rs. 16,78,000 for expenditure under the head "42—Co-operation" be reduced by Rs. 100. The object of my motion is to raise a discussion on the crop loan scheme of Government.

Sir, when no money is available locally to the agriculturists to carry on their agricultural operations, Government with a view to meeting the situation decided to distribute crop loan or short-term loan to the cultivators through co-operative societies. I think, however, that this system will be of no good to the cultivators for the following amongst other reasons. The first reason is that this loan is given only to members of co-operative societies but the Hon'ble Minister is well aware that at most not more than 20 or 22 per cent. of the whole agricultural population are members of co-operative societies. So far as other cultivators who do not belong to any co-operative societies are concerned, they are not in any case entitled to any crop loan sanctioned by Government. I think the time has come to revise this policy with a view to seeing that those persons who are not members of any co-operative societies also become entitled to get loans from the crop loan scheme of Government. In this connection, Sir, I would draw the attention of the Hon'ble Minister to a drastic rule of the Co-operative Department that those societies which had defaulted in making full payments are not entitled to get any crop loan next year. I can cite cases of societies where they defaulted to the extent of only one rupee, fourteen annas or twelve annas. And although these societies had made a total payment ranging from Rs. 1,000 to Rs. 1,500 for the default of such small amounts they have been denied the privilege of getting any crop loan. Moreover, a society as a whole may not itself have to blame for such arrear but it might be due to the default of one or two individual members. I do not understand why for such insignificant default on the part of a co-operative society or for the default of one or two individual members of that society, the society should be denied the privilege of getting the crop loan from Government. I would impress upon the Hon'ble Minister that in such cases the societies should not be punished but individual members who had defaulted may not be given any crop loan.

Then there is another thing. It is said that in one village two societies cannot be opened according to departmental rules, and for every society there is an area of operation. There are villages in Bengal consisting of 8 or 9 *paras* but when I approached some of the Inspectors of Kishoreganj they said that two societies cannot be formed in the same village because there is one rule which says that the area of operation of one society should be limited to one village. Sir, that is a very very unjust and inequitable rule and big villages always suffer due to this rule. I would request the Hon'ble Minister to amend such rule, if there is any.

Then, Sir, there are persons who do not want to become members of the existing societies because many of the members of the old societies are generally insolvent and there are members whose debts

are outstanding. But if people who do not belong to the old societies want to open a new society in the same village they cannot do so on the ground that the rule does not allow this. I draw the attention of the Hon'ble Minister to this aspect of the question.

Then, Sir, crop loans are distributed through Central Banks. There are not many Central Banks in this province. I particularly mention the name of Kishoreganj Central Bank which is always apathetic to distributing crop loans on the ground that it does not give any benefit to the Central Bank because the Central Bank is only for collecting the old debts and not for distributing and realising crop loans. Because the Central Banks do not get any benefit, they are always apathetic in the matter. I ask the Hon'ble Minister to see that the Central Banks do not remain so apathetic because the cultivators do not know through which agency Government distribute the loan.

There is another point to which I draw the attention of the Hon'ble Minister and that is as regards the distribution of the amount as crop loan. I know from my own personal experience that an amount of Rs. 5, Rs. 6 or at most Rs. 10 is distributed as crop loan to each individual. The Hon'ble Minister hails from the village and knows full well that now there is no credit in the village and people entirely depend upon this sum that is distributed as crop loan. If any sum is paid it should be between 15 and 25 rupees and in no case it should be 5, 6 or 10 rupees. People have to purchase their bullock, have to purchase seeds and other implements of agriculture from this loan but the amount that is granted is too insufficient to purchase any of these things.

I would also draw the attention of the Hon'ble Minister to the fact that there is great delay in getting crop loan. First the society has to file an application to the Central Bank. The Central Bank do not call a meeting as soon as one or two applications are received. After 30 or 40 applications are filed the meeting of the Board of Directors is convened. After the Board of Directors approve the applications they are sent to the Assistant Registrar. The Assistant Registrar sends them to the Registrar and the Registrar sends them to the Provincial Bank. Then the Provincial Bank in a meeting of their own approve those applications and then they send those applications to the Central Bank through the same agencies. This procedure takes at least two months and in some cases even more and the agriculturists do not get their loans when they are actually in need of them but get them when the need no longer exists. I would request the Hon'ble Minister to see that this procedure is expedited and that cultivators may get their loans as early as possible.

I also draw the attention of the Hon'ble Minister to the fact that there is no officer of the Government to deal with crop loan applications. Generally Government have to depend upon the staff of the Central Bank who do not take much interest. There should be separate officers to see that these loans are distributed and collected.

There is another point to which I draw the attention of the Hon'ble Minister. The mind of the people of Bengal is agitated over the old debts of co-operative societies. Honourable members know that when the late Ministry was in power an agitation was set on foot to bring about a solution of the repayment of the old debt. The Hon'ble Minister fully knows that so far as old debts are concerned the conditions of the cultivators are such that it is impossible for them to pay interest as well as principal. If the Money-lenders Act of 1938 be not made applicable to these debts, debtors of rural societies will be in great difficulty. There are cases when even after paying Rs. 300 for a debt of Rs. 100 a particular debtor is not cleared of his debt. I would, therefore, request the Hon'ble Minister either to make the Money-lenders Act applicable or to issue direction to the Special Debt Settlement Board to see that where payment has been made to the extent of double the principal, a debtor is not required to pay any further on that account.

Then there is another matter. Interest runs even after the settlement of debts by Debt Settlement Boards. Interest is always fixed according to the paying capacity of the cultivator and when further interest is added the cultivator cannot pay.

Then I come to another point—about the Land Mortgage Banks. There are five such banks and one is at Mymensingh. The area of operation of that particular bank was limited to the Sadar Subdivision but now it has been extended to the subdivision of Kishoregunge, but to our utter surprise not a single cultivator has been able to get any loan, because the bank wants two personal securities. The debtor is willing to keep his land in mortgage but it is impossible for him to obtain personal securities.

(The member having reached the time-limit resumed his seat.)

**Mr. DEPUTY SPEAKER:** Mr. Wordsworth.

**Dr. NALINAKSHA SANYAL:** On a point of order, Sir. We find that you are only calling upon those members who have motions in their name. May we suggest that the motions be first disposed of and those who like to speak generally may be allowed to speak afterwards?

**Mr. DEPUTY SPEAKER:** I have called Mr. Wordsworth to speak on items which have been moved.

**Dr. NALINAKSHA SANYAL:** Sir, it is not fair that you should concede the favour to the European members only. We would also like to speak generally.

**Mr. DEPUTY SPEAKER:** I am prepared to concede that to you also. After Mr. Wordsworth I will allow you to speak.

**Dr. NALINAKSHA SANYAL:** Thank you, Sir.

**Mr. W. C. WORDSWORTH:** Mr. Deputy Speaker, Sir, I thank you for permitting me to speak. I wish to make a few general observations about the situation and the outlook. A survey of the whole field of what we call co-operation in this province leads to distressing conclusions. They are too many to summarise in a few minutes. Their sum is what has been done well is very little in comparison to what has been done badly or what has not been done at all.

We worked generally under Act of 1904 which was an all-India legislation. This gave co-operation in India one limited and specialised character only—co-operative credit. We use the word "co-operation" widely and loosely. The question that was posed by this piece of legislation was this. How are we to give the agriculturist the credit he requires between crop and crop? Nothing else was contemplated, and in this part of co-operation, the narrow part of co-operative credit, there has been very little co-operation The work has come to be very little more than an unsatisfactory working of loan societies. Shakespeare said: "Death cancels all bonds" That is not so in India, where I think religion obliges a man to carry on his father's debt; in many countries too the law does not permit us to apply Shakespeare's dictum. The consequence is that the Indian agriculturist carries a burden that has come down to him from many generations Sir Malcolm Darling has estimated the total agricultural debt in India at 600 crores of rupees. What could all the co-operative credit facilities in the country do against such a burden? Then again we admit now that debt must be lightened That is a new point of view, thought of only the other year. So we have various legislative measures for debt conciliation, reduction of interest and the like. They have done some good, but they have had also difficult consequences. One of these has been that the agricultural credit that was formerly available has dried up. Everything is left to co-operative credit. Co-operative credit is itself a little more than a trickle, and for some reasons that trickle is getting smaller still. Yet debt and the need of credit are persistent features in every agriculturist's economy. What we must get at somehow or other is a revolution of thought and practice.

But how is it to begin? Who is to begin it—at what point and with what instruments? I often wonder almost with shudders how a Minister of Co-operative Credit begins to deal with the complicated work that awaits him. The question is, how can you change the whole outlook of a man's life, his traditions, for that is what the aspirations of some critics of our work amount to. We blame the peasant much too easily, much too freely and much too frequently. We say that he is thriftless, he is extravagant, he is careless in borrowing. Even the Reserve Bank, to which we look for assistance for answering the question, where are we to get credit for the peasant, has merely told us that the peasant is careless and thriftless and must be improved. But what has the peasant to be wasteful in? He works hard, lives simply; he is patient under his hard lot; he is a good agriculturist; he is content with very simple pleasures. He may not use modern methods of agriculture, but he is a poor man and cannot afford them. The poor man must always be conservative in practice, however modern or revolutionary his thoughts or aspirations may be. A change of life, a change of ways of living, costs money. We are told that the peasant wastes money on weddings, festivals and such like. In a man's life, weddings in his family are few, and whatever the peasant borrows for these is a very small sum in comparison with what is needed for his ordinary life year after year. I may observe that even the stately members of the European Group indulge in a bust at weddings.

What if the peasant is more interested in borrowing than in paying back? That can be said of people other than the peasant. It can be said of most people. I remember faintly that certain great Governments have borrowed and been reluctant to pay back. Among them I include the German Government, the French Government, and the British Government. In short, the human race everywhere finds much more pleasure in borrowing than in paying back. (The Hon'ble Mr. PRAMATHA NATH BANERJEE: Good.) But if the peasant has as permanent handicaps the weaknesses that we notice in him, so has the Rural Reconstruction Department whose head has recently told the world, "if we may speak the truth, the people have lost all will to improve." A man who has that faith, who has that view about the materials that he has to work with, is not going to get far in the duties he is entrusted with. But supposing the peasant is of this character; ought we not to adjust our methods to him? If he cannot change, should we not change our methods of approaching him? May we not think of some way of bringing credit to him that will make him understand his obligations? It is said by many, and I think there is justification for the view, that we treat the peasant in India as if he were not an Indian peasant. Our legislation is based upon what has been found good in Europe. It has been found much less good in India; and so I suggest that our

legislation fundamentally is at fault, not only in Bengal but all over India. All over India we are working on certain presumptions and certain assumptions whose validity people are generally beginning to doubt. I would suggest that the time has come for a committee of co-operative workers, preferably non-officials, all over India to meet and consider whether we cannot find some new way of approach.

A few last words relative to Bengal. In Bengal we have co-operative societies, that is to say, credit societies in 20,000 villages—about 35,000 of these in all. They touch only 6 per cent. of the people in a province where the agriculturists are supposed to form 80 to 90 per cent. of the people. Despite the conventionality inherent in our legislation, some of them do very fine work. I remember with pleasure, for example, what I have seen at Naogaon. But the movement hardly moves. The assets are frozen. A glacier in the Alps moves about 12 inches in a year, and that is the rate at which our frozen co-operative system moves. It has in Bengal 21 crores of rupees as working capital. Think what could be done and what happiness could be spread over the province if those 21 crores of rupees could be made to run along the country, helping this man and that man and the next, to come back to be sent out again? Unless we can unfreeze them, unless we can free these frozen streams, our talk and much of our labour is wasted

**Mr. SUKUMAR DATTA:** Mr. Deputy Speaker, Sir, I beg to move that the demand of Rs. 16,78,000 under the head "42—Co-operation" be reduced by Rs. 100. The object of my motion is to raise a discussion about co-ordinating the Co-operative Department for the development of handloom industries in Bengal.

I also beg to move that the demand be reduced by Rs. 100. The object of the motion is to raise a discussion about the policy of the Co-operative Department regarding the utilisation of grant from the India Government for the development of handloom industries.

মাননীয় Deputy Speaker মহোদয়, তাঁত শিল্পের উন্নতি সম্বন্ধে Industry Departmentএর উপর ভার দেওয়া আছে। কয়েক বৎসর পূর্বে যখন India Government থেকে তাঁত শিল্পের উন্নতি সম্বন্ধে কয়েক লক্ষ টাকা grant করা হয়, তখন কি কারণে জানি না এই grantর টাকাটা Co-operative departmentর হাতে এসে পড়ে। এবং এই কয়েক বছর ধরে বছরে প্রায় এক লক্ষ টাকা করে এই Co-operative Department যেভাবে তাঁত শিল্পের টাকাটা খরচ করছেন, তা এই বিভাগের পক্ষে অত্যন্ত লজ্জার বিষয়। মাননীয় মন্ত্রী মহাশয় জানেন কি না জানি না (কারণ তিনি নূতন এসেছেন) যে এই এক লক্ষ টাকা এমনভাবে খরচ হয়েছে যাতে একেবারে তাঁত শিল্পের কোন প্রকার উন্নতি হয় নি। একথা আগেও আমি Assemblyতে বলেছি এবং এখনও বলছি। বাগেরহাট Co-operative Mill

যেটা আছে সেটার একটা calender machineএর জন্য বহু সহস্র টাকা—প্রায় ৫০/৬০ হাজার টাকা—দেওয়া হয়েছে এবং মন্ত্রী মহাশয় যদি একটুখানিক খবর নেন, তাহলে জানতে পারবেন যে সেই মিলে handloom মাত্র ২০ খানা চলে কিন্তু লোক দেখান আছে ৬০ খানা। এ বিষয়ে.....যে কমিটী India Government থেকে appointed হয়েছিল কিছুদিন আগে—এই তাঁত শিল্পের উন্নতি করবার জন্য এবং তাঁরাও বলেছেন যে তাঁরা কিছুমাত্র সন্তুষ্ট হতে পারেন নি। তাছাড়া তাঁত শিল্পের উন্নতি সম্বন্ধে যে সমস্ত ব্যবস্থা করা হয়েছে, সে সম্বন্ধেও অনেক কিছু বলবার আছে। এমনভাবে সেই সব কাজ করা হয় যে তাঁত শিল্পের বিশেষ কিছু উন্নতি আমরা আজ পর্যান্ত পাই নি। তাঁতিদের দুর্দ্দশা আমরা দেখেছি। সেই দুর্দ্দশা ক্রমশঃ বেড়ে চলেছে, যদিও এক লাখ টাকা বৎসরে খরচ হয়। Co-operative department officerরা মোটা মোটা টাকা মাইনে নিয়ে যান কিন্তু গরীব তাঁতিদের জন্য যে টাকা খরচ হচ্ছে, তাতে তাদের বিশেষ কোন উন্নতি হচ্ছে না। তাদের অবস্থা ক্রমশঃ খারাপই হচ্ছে। আমি মন্ত্রী মহাশয়কে বলি যে এ বিষয় নিয়ে আমি অনেক কাল থেকে—প্রায় পাঁচ বৎসর ধরে—বলছি যদি তিনি কিছু কাজ করতে চান, তাহলে আমরা এখান থেকে যে বক্তৃতা করব সেটুকু টুকে রেখে এবং তার উত্তর দিয়ে ক্ষান্ত হলে চলবে না। যদি সত্যই কিছু করতে চান, তাহলে তাঁত শিল্প সম্বন্ধে যে problem আছে, সেটা ভাল করে দেখতে হবে এবং শুধু তাঁর Departmentএর অফিসারদের চোখ দিয়ে দেখলে চলবে না। যারা সত্যিকারের দেশকে represent করেন, তার officialরা যে দিক দিয়ে দেখেন, তারা যদি সে দৃষ্টিতে দেখেন, তাহলে পাঁচ বৎসর কেন, অনেকদিন পর্যান্ত যেভাবে গভর্ণমেণ্ট চলেছে সেইভাবেই চলবে অর্থাৎ অফিসাররা মোটা মোটা মাইনে পাবেন কিন্তু তাঁতিদের উন্নতির জন্য যে টাকা খরচ হবে, তাহারা তাঁতিদের কোন উন্নতি হবে না।

আমি জোর করে বলতে পারি, তাঁত শিল্প এমন একটা শিল্প যার সামান্য চেষ্টা করলে উন্নতি করা সম্ভব। এবং সেই উন্নতি করতে হলে Co-operative systemএ করতে হয়। কিন্তু সেখানে যদি মন্ত্রী মহাশয়ের visionএর অভাব হয়, তাহলে পুরাণোভাবে কাজ করলে কিছুই লাভ হবে না। এবং এখন যেমন দেখছি যে handloomএর টাকা—গরীব তাঁতির জন্য যে টাকা India Government থেকে দিচ্ছে—সেটা একটা Millএর private organisationএর করলে চলে যাবে—সত্যকার উপকার হবে না। কলকাতায় একটা Co-operative department আছে। তাতে গরীব তাঁতিদের তৈয়ারী জিনিসপত্র সস্তায় কলকাতায় বিক্রী করা হয়। এইভাবে তাঁতিদের জিনিষের চাহিদা অনেক পরিমাণে বাড়ান সম্ভব। কিন্তু সেই department যদি আমরা দেখতে পাই, জহরলাল পান্নালালের মত দোকানে, কাজেই সেখানে Co-operation নয়—কতকগুলি financial organisation দাঁড়াচ্ছে—সেটা Secretary এবং কয়েকজন লোকের উপকারে মাত্র আসে। যদি সত্যিকারের কাজ করতে চান (এবং যে কাজ করা সহজ), তাহলে একটা Enquiry Committee করুন; তাতে Departmentএর Registrarও থাকুন; তাহলে দেখবেন আজ পর্য্যন্ত Co-operative departmentযে কাজ করেছে, তার বেশীর

ভাগ কাজে গুরুতর অন্যায়, রেষারেষি, dishonesty এবং inefficiency আছে। এ সব যদি department থেকে দূর না করতে পারেন, তাহলে সেখানে এই মন্ত্রীত্ব করে কিছুই লাভ হবে না। যদি সত্যিই চান, তবে ভাল করে দেখান—অনেক কিছু ভাল করবার scope রয়েছে। শুধু উর্দ্ধতন departmentএর অফিসারের দোষে সে কাজ করা সম্ভব হয় নি। আমি জোর করে বলতে পারি, এই ভাবে কাজ করলে সত্যকার কাজ হবে; Co-operative departmentএর সেই অসুবিধা নেই যেমন Home Departmentএ আছে। সেখানে ইচ্ছা করলে অনেক কিছু কাজ করা সম্ভব হতে পারে। আমার মনে হয় একটা Enquiry Committee যত শীঘ্র হয় করুন। পাঁচ বৎসর ধরে শুনে আসছি department কোন কাজ করতে পারেন না কেননা Registrarএর হাতে wide powers নেই। কিন্তু হাতে wide powers দিলেও কোন problem সমাধান হতে পারে না। সেইজন্য বলছি Co-operative departmentএর সঙ্গে Industry departmentএর সম্পর্ক থাকা দরকার—বিশেষতঃ তাঁত শিল্প ব্যাপারে। কেননা তাঁত শিল্পের জন্য Bengal Government টাকা খরচ করছেন,— India Governmentও টাকা খরচ করছেন। সেজন্য either কোন একটা Co-operative officerএর or তাঁত শিল্প departmentটা এমন একজনের হাতে দেওয়া যিনি কোন departmentএর নন। একজন officerএর হাতে দিলে সেই handloom অফিসার তাঁত শিল্পের উন্নতির জন্য যা কিছু করা দরকার তা করবেন। এ জিনিষটা বিশেষ দরকার। এজন্য যদি একটা কমিটী তৈয়ার করা হয়, যাতে আমাদের Co-operative departmentএর মন্ত্রী থাকবেন, Industry departmentএর মন্ত্রী থাকবেন Registrar থাকবেন। Industry departmentএর Director থাকবেন, এবং কয়েকজন official member থাকবেন, তাহলে এই তাঁত শিল্প, যা বাংলাদেশে সব চেয়ে বড় কুটীর শিল্প, তার উন্নতি সাধন করা সম্ভব। আজকার দিনে আমাদের বাংলাদেশ যখন বস্ত্রসমস্যা অত্যন্ত সঙ্গীণ হয়ে উঠেছে, তখন এই বস্ত্রসমস্যা সমাধান করতে হলে এই তাঁত শিল্প ছাড়া কোন উপায় নেই এবং তাঁত শিল্পের উন্নতি করতে হলে Co-operative departmentএর throughতে একটা Co-operative organisationকরে করতে হবে। আপনারা জানেন, বাংলাদেশে কাপড় বেশী তৈয়ার হয় না এবং যা মিল আছে তাতে বাংলাদেশের যা দরকার সে রকম কাপড় তৈয়ার হয় না। বাংলাদেশে যে মিল আছে তারা এখন warএর জিনিষ তৈয়ার করতে ব্যস্ত। খুব শীঘ্র বাংলাদেশে বস্ত্রসমস্যা দাঁড়াবে। এই বস্ত্রসমস্যা যদি সমাধান করতে হয়, তবে এখন থেকে তাঁত শিল্পের দিকে মন না দিলে সে সমস্যা সমাধান হবে না। আমি মাননীয় [illegible] বলছি, পূর্ব্বে অনেক দোষ তার Departmentএ হয়ে গেছে এবং আজও আছে। তিনি নূতন এসেছেন এবং তাঁকে ভাল লোক বলেই জানি। আশা করি, তাঁর আমলে কিছু হবে। তিনি personally দেখুন—এই departmentএ কি গলদ আছে এবং কি করা এ বিষয়ে সম্ভব। আমি যতদূর সম্ভব তাঁকে সাহায্য করতে রাজী।

**Dr. NALINAKSHA SANYAL:** Mr. Deputy Speaker, Sir, I beg to move that the demand of Rs. 16,78,000 under the head "42—Co-operation" be reduced by Rs. 100. The object of the motion is to raise a discussion about the failure to formulate and adopt a comprehensive scheme for improving rural agricultural credit through the extension of the services of co-operative societies and through removing the evils complained of about the administration and working of the Co-operative Department.

Sir, ever since the new reforms were accepted and brought into operation in this province in the year 1937 we have been insistently drawing attention to various drawbacks of the Co-operative Department and the Hon'ble Minister in charge knows very well how year after year we have been hammering the same complaints on the floor of the House as well as from outside. Yet, we regret to note that in spite of the urgency of the case, nothing so far has been done to attempt a comprehensive approach to the various problems raised. I shall not deal today with the various administrative drawbacks to which attention was drawn and I trust the new Ministry is trying to look into those aspects of the question with the determination that these demand.

To-day, I can only confine myself principally to the question of rural credit. Sir, year before last, that is, about two years ago, I presented a complete scheme for improving rural credit. In that connection I drew attention to a brilliant publication by Dr. Quoreshi of the Osmania University where he examined the question of State Bank and State financing with considerable ability, and I thought that the Government would at least apply their mind carefully to the various questions that had been raised. It is regretted that the Department which has got numerous officers has not as yet found time to examine those proposals and to formulate regular and comprehensive schemes to help rural credit. On the contrary it is noticed that during the last two years large sums of money from the Provincial Exchequer were spent; but I do not know if all that money was spent properly, for helping the rural people by way of short-term and other agricultural loans. These sums of money are usually advanced in a hurry and the Government is often hostile to spending money for improving agriculture or helping the agriculturists either, except in the case of some natural calamity or other unforeseen happening. If Government, instead of depending upon nature to wake them up, to compel them to advance agricultural loans, would themselves take the initiative and not wait for nature, and examine the various possibilities and prepare schemes for helping the rural people their action would be welcome and the money we would be in a position to place at the disposal of Government from Provincial Exchequer would certainly be much better utilised.

In the coming year's budget, Sir, we find that in addition to a provision for certain new land mortgage banks a sum of nearly Rs. 60,00,000 has been budgeted for advances to the Bengal Provincial Co-operative Bank for giving short-term agricultural loans to agricultural co-operative societies. In addition to that a sum of Rs. 7 lakhs is budgeted for advancing to the same Bengal Provincial Co-operative Bank for financing co-operative land mortgage banks in Bengal. These and other similar provisions lead us naturally to ask the question as to what Government propose to do with regard to the entire scheme of rural credit, the entire scheme of financing agriculture in the province. I crave Government's indulgence in the matter of putting one or two suggestions in this connection. It is probably absurd to think that any Government, much less the Government that is at the present moment faced with an emergent situation, can provide all the sums required in rural areas for helping agricultural credit—at least it is very difficult. Therefore, it is obvious and natural that money from non-official agencies, from sources which otherwise and hitherto have been helping rural credit, should be so mobilised that they must be enabled and encouraged to continue their assistance to the rural areas, if not to the same extent as in the past, at least to a substanial extent. We are not aware how Government have so far proposed to pool non-official resources with Government resources in the matter of a forward policy with regard to agricultural loans. It is regretted that the Co-operative Department have not administered the department in a manner that could create confidence in the minds of the depositors of the co-operative central banks. It is well known that many of the depositors today have had to meet with serious losses and most of the co-operative central banks in the mofussil have not been in a position to meet their liabilities to depositors as and when they become due. We think the time has come when Government should, as they promised a few years back, revise the entire policy and examine how best to rehabilitate the position of the central banks so that the confidence of the depositors can be re-established. While on this, I must draw attention to the very careless method of realising the dues as and when they fall due. In connection with our study of the Public Accounts in the Public Accounts Committee we discovered that large sums of money were left uncollected when they were due and that various co-operative societies were largely responsible for neglecting their duties in this connection. As my professor, Mr. W. C. Wordsworth, who is of course a pet child of the Government in regard to co-operative matters, has pointed out, there is an inherent tendency on the part of borrowers to avoid their payments. Sir, we must devise a means by which this tendency may be kept properly under check and the members of the legislature who represent the various rural constituencies should make it one of their principal endeavours to see that the people who are recommended by them to obtain large advances do not evade payments

when such payments become due. If that psychology is permitted to develop it would be extremely difficult for the State to come forward to help rural credit. The State, as such, we feel, should divest itself of direct responsibility in the matter of advancing loans and the co-operative banks should not be administered or controlled to any extent that might create the impression that the Government officials are taking the responsibility for their administration. Hitherto the interference has been so much that people in rural areas have been led to believe that the Government is mainly responsible for the success or otherwise of the co-operative banks and the interference has sometimes led to a sense of complete irresponsibility in the minds of non-official boards of management of the co-operative central banks and the co-operative provincial bank. Sir, people in rural areas should be educated and if, as is quite natural, they do not possess the necessary technical knowledge regarding the advancement of loans and regarding the justification in advancing credit, they should be helped by experts and by a number of trained men who would be again employed by these non-official agencies for their own purposes, free from interference by Government.

Sir, in some parts of Australia, in South Africa and in some other parts of the British Dominions co-operation has developed in this way to such an extent that the State has been in a position to help substantially in the provision of rural credit.

Then again, we in Bengal have been spending money but we are not quite sure whether this money is being properly spent. I am afraid, with regard to the administration of the Bengal Provincial Co-operative Bank, there is a good deal of misgivings in the public mind. To give further advances to that Bank for distribution to the rural areas through certain machineries which are controlled by that Bengal Provincial Co-operative Bank must, therefore, lead to suspicion. We feel that the Provincial Co-operative Bank is not in a position to meet its own liabilities and a subterfuge is adopted by Government to enable that Bank to keep itself above waters by putting liquid amounts in its hands with a show that it is useful to the rural areas. I submit, Sir, that this Bank's affairs should be more carefully examined and gone into. We have our experience with regard to the land mortgage banks of the old type and there we found that a very large sum of money—I believe it is more than 20 lakhs of rupees—was lost and for a number of years the Government of Bengal had to give a subvention at the rate of 2 lakhs of rupees a year to the Provincial Co-operative Bank to meet those losses. I do not know whether Government propose to repeat the same mistake again and I submit that when large sums of money are provided in the Budget, Government should have a comprehensive scheme regarding the advance of money in the rural areas.

With regard to agricultural credit there are other machineries than the Co-operative Banks dealing with such credit. I submit that the Government of Bengal should have one co-ordinated comprehensive machinery for advancing rural credit and various departments should not be allowed to go in their own respective way to deal with the question. Sir, when there is any necessity for advancing money from out of the Takavi loan and Famine Insurance grant and the like, the machinery should be one so that, so far as the actual villagers are concerned, they can know actually whom to look up to for such a kind of credit and there should be one machinery for collection so that there may not be any unnecessary duplication and hardship and the machinery may know properly when and where money can be collected from the various debtors.

With these words, Sir, I plead for immediate institution of an enquiry into the whole question of rural credit and of formulation of a comprehensive scheme so that rural credit may be provided both for short period as well as for long period for the uplift of our villagers.

**The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN:** Mr. Deputy Speaker, Sir, I offer my heartfelt thanks to the honourable members for taking part in the debate on the co-operative movement of Bengal and I am really grateful to them for giving new lights and for bringing to my notice the various defects and shortcomings in the working of this department. You know, Sir, that I am in office for nearly 3 months and during this short period it has not been possible for me to be acquainted with all the detailed workings of the department, not to speak of defects and shortcomings in its working.

Sir, I hail from a rural village far off from Calcutta in East Bengal and I am fully acquainted with the difficulties of communication and the needs of the agricultural population of Bengal, and as a worker of the Proja Movement for the last 25 years I have thought for them and I know what are the difficulties in the way of removing these grievances of the vast number of people living in the countryside. It was the aim and object of my life to do a little good to the agricultural and labour population of Bengal and I am thankful to God that He has given me a chance in taking over charge of the Co-operative Department to do a little service which lies in my power for removing their untold difficulties and grievances.

Sir, I agree with the honourable members that agriculturists are the backbone of the country and of the society and if that backbone goes down the backbone of the whole country and the whole society will go down, and every effort, every attempt should be made not by the Government alone but by private individuals to see that the agriculturists of Bengal may live like human beings and that they may be given all the amenities of life as are enjoyed by the people of all other countries.

Sir, I feel difficulties in the working of this department in various ways. Several speakers have said this morning about the co-ordination of industry and co-operation. I also feel, Sir, that co-operative movement will be quite ineffective to remove the actual grievances of the agriculturist population of Bengal without the help and assistance of agriculture and industry. Supposing we declare that the agriculturists will not have to pay any interest or capital of any loan and if we ask them to start a fresh life, a new life altogether, I can boldly say that within five years they will be again over head and ears in debt. It is not the co-operative movement alone which can remove their want. Until and unless agriculture of the province could be improved by various methods of irrigation, by proper manuring, by supply of seeds and other things and by giving them technical training and education, by appointing a large number of demonstrators and by establishing agricultural farms and until and unless the fertility of the soil is increased by the method of irrigation or otherwise, whatever may be done by the co-operative movement will not ameliorate their conditions. Pressure of population on the land has become so heavy that even if the productive power of the land be doubled the agricultural population will not be able to lead a happy life unless and until we can find out subsidiary occupation for them by cottage industry and home industry so that they may employ their spare time in earning an extra income. Until this is done I can strongly say that whatever is done by the co-operative movement by way of reducing their debts or scaling down their debts or otherwise by lending them money will not be of much benefit to them. I strongly feel that the portfolio should be distributed in such a way as to include in the co-operative department agriculture and industries also and that these three departments should be placed in the hands of a single Minister; otherwise the lot of the people cannot be improved. (Mr. ABDULLA-AL MAHMOOD: Why don't you co-ordinate all the departments?) I am not concerned with the other departments. I have simply placed before the House the difficulties that I have found in the working of my department. My personal view is that without agriculture and industries the Co-operative Department cannot extend its activities. (Mr. ABDULLA-AL MAHMOOD: Are we to understand that the Hon'ble Minister is in difficulty and he will not be able to effect any improvement in his own department?) No, certainly I am prepared to do whatever improvement is possible in this department, but I say that the lot of the agriculturists cannot be improved until and unless agricultural and industrial improvement is made. (Mr. ABDUL LATIF BISWAS: Is it not possible for the Hon'ble Minister to raise the matter before the Cabinet and have it decided?) It is not that I want to take charge of the Department of Agriculture and Industries. Any other Minister—some other more suitable Minister—may be placed in charge of these departments. I simply place the difficulties before the House and nothing more. (Mr. SUKUMAR DUTTA: Are we to understand

that the Co-operative Department is not getting co-operation from the Agriculture and Industries department?) No, all the departments of Government are working in co-operation and co-ordination. I do not deny that. What actually happens is this: I go to a particular spot and I feel that a co-operative agricultural farm should be started there. I have to write to the Agriculture Department which will take one year in considering it. Then it will go to the Finance Department which will take another year and in this way years will pass and nothing will be done.

**Dr. NALINAKSHA SANYAL:** Thank you for your frankness. Please go on.

**The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN:** Now as to the Co-operative Department——

**Mr. ABDULLA-AL MAHMOOD:** May I ask the Hon'ble Minister —(Uproar.)

**Mr. DEPUTY SPEAKER:** Order, order. If you want to have any information you can ask through me.

**Rai HARENDRA NATH CHAUDHURI:** On a point of order, Sir. Can points of information be asked on points of personal explanation? The Hon'ble Minister is speaking and he is not prepared to give in.

**Mr. DEPUTY SPEAKER:** A memeber has the right to rise on a point of personal explanation. If the honourable member wants to put questions, he should ask through me. If the Hon'ble Minister so desires, he can give that information. (Cries of "No, no".)

**Mr. H. S. SUHRAWARDY:** On a point of order, Sir. So far as the Hon'ble Minister's speech is concerned, his speech is unexceptional and we cannot take any objection to his remarks. But the point really is that the Hon'ble Minister for the Co-operative Department in his speech is absolutely condemning not only other departments but his own department also, and points out to the House that there is no chance of co-operation in the Co-operative Department. We wish to know, "is it his considered view that the Co-operative Department should be wound up if it is not capable of doing any good to the agriculturists?" According to him other departments cannot develop, will not develop and are not developing. So again I say that we should like to see that the Hon'ble Minister's speech is brought to its logical conclusion.

**The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN:** As a matter of fact, Sir, I have not condemned any other departments. I said that much could be done if sufficient facilities and funds were placed at the disposal of the departments to improve the respective departments. Now, Sir, as to the Co-operative Department of course my friend Mr. Wordsworth and other members said on the general policy of this department and the failure of this department to discharge their duties regarding that policy or to give effect to that policy fairly and properly. I agree with Mr. Wordsworth and other members who have spoken about this, that as a matter of fact when this co-operative movement was first introduced in the province of Bengal, it lost sight of the main object of co-operation and main object of co-operative movement. The main object, the principal object of the co-operative movement, as I understand it, is to ameliorate the condition of the peasantry or tenantry of Bengal, so that in due course after a certain number of years the tenants will become solvent. The policy ought to have been diverted that way, so that money advanced to the peasantry for cultivation may be used in some productive way, so that in course of time with larger production they may be able to clear up their debts. At the start more time should have been given for repaying loans, but formerly in actual practice loans were given without judging the capacity of the peasants of paying their debts, both interest and principal. During boom time these people paid interest and they could pay part of the principal also, but in slump period with the steady fall in the price of jute the credit of the cultivators is dried up, and they are not in a position to pay the arrear interests not to speak of paying the principal. The department had these difficulties and they subsequently diverted their attention towards other purposes. For example marketing society for the sale and supply of goods, weaving society, hessian society and other societies for productive purposes have been started in this province and some of these societies are working satisfactorily and fairly well.

Now, as for the huge accumulation of arrears of intreset, I entirely agree with Mr. Wordsworth and Dr. Sanyal. What I feel is that there is a tendency prevailing in this country of not paying the interest. People who can afford to pay do not like to pay, not to speak of interest or societies' debts but rents and revenue and agricultural loans even. Now if this tendency goes on, it is not possible for Government to run the administration not only of Co-operative Department but of other departments as well. I appeal to the honourable members in this House as well as outside gentlemen who are the leaders of the societies to see that this tendency does not gain strength in any way and that this tendency is removed from the minds of the people. Government will never be harsh and will consider the cases of those who are really incapable of paying, but those who can pay should come forward and pay their interests.

As regards crop loan in places where the people are affected by cyclone or flood or by acute distress, the time for repayment can be extended. Even for the agricultural loan the time may be extended. Government are always willing to show due consideration in specific cases to those who are really needy. Government will certainly do that.

Now, as regards short-term crop loan the policy of Government is to help the agriculturists in the matter of their cultivation by way of purchasing ploughs and cattle, seeds and other things. My friend Mr. Israil has said that Government is not paying money enough to meet the demand of the vast population of Bengal, but I am sorry to state here that last year a sum of Rs. 60 lakhs was sanctioned for loan, out of that Rs. 45½ lakhs could be spent for the purpose and the remaining Rs. 14½ lakhs remained unspent. (A VOICE: Per head.) This year also Rs. 45½ lakhs has been spent. As per head that depends upon the discretion of the officer who distributes the money. I want to say this that the more credit is available to the peasants, the more they will borrow without caring for the consequences. So, money should be spent and given to the people according to their immediate necessity and demand and also in consideration of their paying capacity. I think no wise man would advise Government to advance Rs. 100 to a man who earns Rs. 10

I can say this that if any honourable member would bring to my notice any case in which the peasant did not receive the actual money he was in need of for his cultivation, I will certainly take steps to remedy it.

The motion of Khan Sahib Hamiduddin Ahmad that a sum of Rs. 16,78,000 for expenditure under the head "42—Co-operation" be reduced by Rs. 100 was then put and lost.

The motion of Mr. Sibnath Banerjee that the demand of Rs. 16,78,000 for expenditure under the head "42—Co-operation" be reduced by Rs. 100 was then put and lost.

The motion of Maulvi Mafizudin Ahmed that the demand of Rs. 16,78,000 under the head "42—Co-operation" be reduced by Rs. 100 was then put and lost.

The motion of Mr. Sibnath Banerjee that the demand of Rs. 16,78,000 under the head "42—Co-operation" be reduced by Rs. 100 was then put and lost.

The motion of Maulvi Muhammad Israil that the demand of Rs. 16,78,000 under the head "42—Co-operation" be reduced by Rs. 100 was then put and lost.

The motion of Mr. Sukumar Datta that the demand of Rs. 16,78,000 under the head "42—Co-operation" be reduced by Rs. 100 was then put and lost.

The motion of Mr. Sukumar Datta that the demand of Rs. 16,78,000 under the head "42—Co-operation" be reduced by Rs. 100 was then put and lost.

The motion of Dr. Nalinaksha Sanyal that the demand of Rs. 16,78,000 under the head "42—Co-operation" be reduced by Rs. 100 was then put and lost.

The main motion of the Hon'ble Khan Bahadur Maulvi Hashem Ali Khan that a sum of Rs. 16,78,000 be granted for expenditure under the head "42—Co-operation" was then put and agreed to.

**Statement by the Leader of the House.**

**Mr. DEPUTY SPEAKER:** The Hon'ble Leader of the House will make a statement now in reply to the statement made the other day by the Leader of the Opposition. I have decided that both the statements will go to the Press together. So it is not necessary that the Press galleries should be cleared.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** It was on the 20th of March last that in the course of the discussions relating to cut motions on the extraordinary charges that Khwaja Sir Nazimuddin, the leader of the Opposition intervened in the debate and read out a speech making charges against the Ministry including the two Hon'ble Ministers who belong to the Bengal Congress Parliamentary Party in this House. Sir Nazimuddin professed to voice what he called the profound misgivings which had been occasioned among a large section of the people. His misgivings, as I shall presently show, are nothing more nor less than some veiled insinuations, direct hints and mischievous suggestions calculated to belittle the Ministry in the eyes of the public.

One feels amazed at the subtle attempt on the part of the Leader of the Opposition to weave a garland of half truths and untruths by placing together stray bits of news relating to matters wholly unconnected with the Ministry. He has sought to paint on a wide canvas extending from the Axis countries and covering the whole of India and stretching as far as Burma. The dangerous out-pourings of the Axis radio have been sought to be utilised by Sir Nazimuddin and repeated on the floor of the House to be purveyed through the Newspaper Press to the unwary public beyond. Some recent happenings at Dacca have been seized upon to serve his purpose of maligning the present Ministry. Arrests and detention carried on by the Government of India or by the Provincial Government have been placed in a new setting to attack and discredit the Bengal Ministry. And last but not least the relationship between Mr. Sarat Chandra Bose and Mr. Subhas Chandra Bose has been made the foundation for an attack on the Bengal Congress Parliamentary Party and on the Ministry, that Party is supporting——

**Dr. NALINAKSHA SANYAL:** Please do not repeat that too often. It will only muddle matters. Those members have no relation with the Bengal Congress Parliamentary Party.

**Mr. SASANKA SEKHAR SANYAL:** Sir, the Leader of the House may be allowed to make his statement without interruption.

**Mr. DEPUTY SPEAKER:** I will not allow any interruption from any side. I hope the Hon'ble Leader of the House will be permitted to make his statement.

**Mr. P. BANERJI:** Will you allow a false statement to be made?

**The Hon'ble Mr. A. K. FAZLUL HUQ:** I can assure my friends that the position will be made clear later on If I make a statement which is not acceptable to any section of the House they will have the right to form their own opinion about it, but I am making my statement from my own point of view and in the manner in which I think it should be made.

Sir, the whole basis and foundation of this superstructure is the alleged activities of a political organisation known as the Forward Bloc coupled with a pitiful attempt to identify that organisation with the Bengal Congress Parliamentary Party.

Sir, the reasoning reminds me of a fallacy about which we read in our College days called the fallacy of the "undistributed middle". The argument is something like this: My hand touches the pen, the pen touches the paper and, therefore, my hand touches the paper.

Sir, Sir Nazimuddin opens his broadside by referring to the radio propaganda from Axis countries in the name of Mr. Subhas Chandra Bose. Even if this propaganda can be attributed to Mr. Subhas Chandra Bose's voice which can be recognised only by diligent listeners to Axis radio, it will show, as Sir Nazimuddin has pointed out, that Mr. Subhas Chandra Bose is now working as an active agent of the enemy. Having established this proposition, the process of reasoning adopted by the Leader of the Opposition is quick and easy. By bringing Mr. Sarat Chandra Bose whom he calls a lifelong successor of Mr. Subhas Chandra Bose in the leadership of the Forward Bloc, Sir Nazimuddin seeks an easy passage to attack the present Ministry. By concentrating his attack on the Forward Bloc he attempts to raise a cloud of suspicion, some of which he vainly hopes may envelope the supporters of the present Ministry.

I do not desire to make any detailed reference to the recent happenings at Dacca which are the subject matter of judicial investigation. Sir Nazimuddin in his new found irresponsibility might indulge in hints, insinuations and open charges in respect of those matters. He

can utilise them on the floor of this House to drag in names of individuals or organisations which may or may not have in the ultimate finding of the appropriate court any connection with those incidents. I cannot and shall not emulate his example by adopting any such course at this stage. If on a proper investigation individuals or institutions are pronounced to have been responsible for those incidents, the arm of the law will be long enough to reach them and to deal with them as justice demanded. Sir Nazimuddin is quite entitled to bring forward his strongest indictment against what he considers to be the present activities of Mr. Subhas Chandra Bose or for the matter of that of any individual member of Forward Bloc or any other political organisations. But these are matters which viewed in their proper perspective can only prove the vigilance of the present Ministry and can only show in prominent relief the measures taken by Government to ensure the security of the Province. Sir Nazimuddin is well aware that all his attempts to condemn the present Ministry would be fore-doomed to failure, if he could not link them up with the Bengal Congress Parliamentary Party or their leader, Mr. Sarat Chandra Bose. Realising his difficulty he has sought to connect that Party directly with the Forward Bloc and has recalled the detention of Mr. Sarat Chandra Bose under the orders of the Government of India. It was only the other day that one of the Ministers belonging to the Bengal Congress Parliamentary Party recalled on the floor of this House Mr. Sarat Chandra Bose's open declarations for resistance to foreign aggression and maintenance of internal security.

It was stated by the Hon'ble Minister in clear and unambiguous terms that he and his colleagues in the Cabinet as well as every member of this party stood by that policy and programme and, as such, his party held fast to the Leader who laid down that policy and that programme. In spite of the calculated attempt from the Opposition benches to stifle his speech he declared in the clearest possible accents that there was none in his party who had the slightest leanings towards Fascism. Those declarations should have set at rest all honest speculation or hesitation, even if there was room for any such, on the part of any sincere critic. But criticism which has its roots not in real doubt but in party machination and political manoeuvre will always refuse to be satisfied.

It was only the other day that Khwaja Sir Nazimuddin and his heroic lieutenants entered into pacts and agreements with Mr. Subhas Chandra Bose to frame and fashion the future of this country. They were throwing their boquets and exchanging garlands with Mr. Subhas Chandra Bose and marching with him hand in hand. It was Khwaja Sir Nazimuddin who opened the prison gates in order to set free Mr. Subhas Chandra Bose without any let or hindrance when prosecutions for four charges of sedition were hanging against him. It was

one of the stalwarts of Sir Nazimuddin's party—no less than my friend, Mr. Abdur Rahman Siddiqi—who, as Mayor of Calcutta, immediately after his release sat for a photograph with Mr. Subhas Chandra Bose. It was again during the regime of the ex-Home Minister that Mr. Subhas Chandra Bose effected his dramatic disappearance from this city. There were numerous police officers, watchers and others and when the news had spread that Mr. Subhas Chandra Bose was not to be found, people used to say that the cage was there but the bird had flown. May I also remind my friends who want to blame me in this connection that at the time of the Mayoral election of Mr. Abdur Rahman Siddiqi, the votings revealed very strange things. Mr. Abdur Rahman Siddiqi secured 25 votes from the Bose group including no less a vote than that of Mr. Subhas Chandra Bose as against 20 votes from the Muslim League group. Sir Nazimuddin is deeply conscious that his well-planned charges against Mr. Subhas Chandra Bose as an Axis agent or in respect of the happenings at Dacca, Munshiganj or any other place would be of no avail unless he could connect them with the Ministry or their supporters. That is the genesis of his frantic attempt to identify the Bengal Congress Parliamentary Party with the Forward Bloc. May I in this connection refer also to an attempt made in this House to table an adjournment motion by one of the members of Sir Nazimuddin's party for the release of the Leader of the Khakshar movement knowing that that movement is under a ban of the Government of India and that the leader of that movement for whose release an adjournment motion was tabled has been kept in custody under orders of the Central Government. Realising the difficulty of his task, he was driven to make a statement as to the alleged contents of a document which admittedly he had never seen and in this attempt he has thoroughly exposed himself. This document was made over by me to Mr. Carter who has authorised me to say that it did not contain the statement alleged by Sir Nazimuddin. In other words Mr. Sarat Chandra Bose never signed his name in that document describing himself as the leader of the Forward Bloc; nor is there any indication of any such words in that document. That is the *negative* aspect of the matter. If Sir Nazimuddin and his supporters are not satisfied with this assurance, may I present them with another document emanating from Mr. Sarat Chandra Bose and which also is in the possession of Mr. Carter and of which he has been able to supply a copy. That document is a letter addressed to Mr. Carter inviting his attention to an inaccuracy in the Government communiqué on the prorogation of the Assembly in September last. In that communiqué Mr. Bose was described as the leader of the Forward Bloc in the Bengal Legislative Assembly. Mr. Bose lost no time in contradicting this description and conveyed to Mr. Carter in the letter in question that there was no such party in the Assembly, his party being known as the Bengal Congress Parliamentary Party——(Dr. NALINAKSHA SANYAL: Question.)——as

distinct from the Congress Assembly Party led by Mr. Kiran Sankar Roy——(Dr. NALINAKSHA SANYAL: That is all untrue.)——I call myself Fazlul Huq as distinct from Dr. Nalinaksha Sanyal: it is not a question of truth or untruth: it is what I call myself: the same is the position here.

That letter concluded with the request "kindly note this information for future use".

Sir, I have no desire to deal at length with Sir Nazimuddin's attempt to turn and twist the answer given by me on the floor of the House. The Ministry have never disowned their responsibility or thrown the blame on their officers with regard to steps that have been taken to deal with any subversive activities. His attempts in this respect are on a par with the excursions in mud-throwing at the Bengal Congress Parliamentary Party of which two of my colleagues in the Ministry are members. I take this opportunity of declaring on the floor of the House that there can be no question of any encouragement direct or indirect to those engaged in subversive activities.

Sir Nazimuddin says that the answers given by the Ministers are liable to create bitterness and disaffection towards officers of the Government. Coming from Sir Nazimuddin this allegation would have been amusing indeed but for its mischievous implications For the last three months since the inauguration of the present Ministry Sir Nazimuddin and his supporters both inside and outside this House have carried on relentless vendetta against some of our trusted District Officers, police officers, heads of educational institutions and others for their bold and courageous stand in maintaining peace, security and discipline within their respective jurisdictions. Bitterness and disaffection towards these officers of Government have been the watchword of Sir Nazimuddin's campaign within and outside this House for some months past.

Sir, it is amazing to find Sir Nazimuddin in a new role as the champion of the maligned officers of Government. The disingenuous suggestion contained in one passage of Sir Nazimuddin's speech cannot be overlooked by me. Sir Nazimuddin says that he has not yet seen any of the Ministers or any of their supporters taking any steps to counteract the propaganda from the Axis countries carried on in the name of Mr. Subhas Chandra Bose. Such propaganda has been countered from a hundred platforms all over the country. Reports of their speeches have found prominent place in leading newspapers both in English and in Bengali. It is possible that Sir Nazimuddin had not cared to pay any attention to such anti-Axis propaganda owing to his preoccupation with the radio broadcasts from the Axis countries.

Sir, I can quite understand Sir Nazimuddin's chagrin at the representations to the Government of India made by the Council of Ministers for the release of Mr. Sarat Chandra Bose. I am not surprised at this

attitude of my honourable friend. The world knows very well to what extent Sir Nazimuddin owes his present position to Mr. Sarat Chandra Bose. After all even Sir Nazimuddin is human and we cannot quarrel with him on that score. Sir Nazimuddin has referred to a public meeting supposed to have been held to urge the release of Mr. Sarat Chandra Bose and has attempted to draw some conclusions in respect of that meeting. I do not grudge my friend the satisfaction that he may draw from some imaginary misdeeds of the Ministry. After all, Sir Nazimuddin must have some satisfaction of some kind.

Sir, the usual mud-slinging tactics of his followers have been sought to be raised by Sir Nazimuddin to the dignity and importance of an issue relating to the security of the province. It is a palpable smoke-screen which will not deceive anybody. Every one in this province knows very well that through the newspaper press, in public meetings, by radio broadcasts, in their speeches in the Legislature and in various other ways the Ministers and their supporters have sent out their call to resist the enemy aggression and to organise civil defence. Every honest individual in this far-flung province knows it, owns it and appreciates it.

Sir, I may mention in this connection that only the other day there was a cut motion sponsored by a prominent member of the Muslim League Party for the inability of the present Government to effect the release of Mr. Sarat Chandra Bose. That motion was pressed to a division and all the members of the Bengal Congress Parliamentary Party voted against that motion and supported the Government. It is only those disaffected, disgruntled, interested individuals or parties who deliberately shut their eyes or close their ears and who for their own selfish purposes seek to represent our efforts in a false and unreal perspective.

Sir, let me make the position of the Ministry and their supporters absolutely clear and definite in the most categorical manner. I need hardly say that any Axis propaganda directed to India whether carried on in the name of Mr. Subhas Chandra Bose or any other name is dangerous and harmful to our interests. We denounce such propaganda and whoever makes it and all those who are instrumental in propagating the same. Any malign influence, whether sought to be cast in the name of Mr. Subhas Chandra Bose or of any other subversive or anti-social parties or organisations will be denounced and countered by us in the most vigorous manner.

Sir, I may add on my own account that if I find any indication anywhere in the party which is now supporting the Ministry to support Axis aggression or any aggression or to do anything to impede war effort, I on my part will dissociate myself from the Ministry.

Sir, I do not think that I should take up the time of the House at any greater length. The House will assess at their real worth all those disingenuous attempts made by Sir Nazimuddin and his party in the name of internal security to exploit the present state of emergency and the consequent danger with which the province is faced. We stand firm in our resolve to keep up the courage and morale of the people and to maintain peace, security and tranquillity which we have by our united efforts succeeded in restoring in this province.

Sir, I feel that the best service that we can do to our country is not by raising issues, by quarrel and by bitter attacks of one party or another. but to forget all our differences, to sit together and find means to counteract the dangers with which we are faced, to show by our words and by our deeds and not merely by profession that we love our country and we are prepared to defend our country from aggression from whatever source it may come and that, at any rate, during the period of this emergency we realise that all controversy should be hushed and that we should do everything in our power to prevent panic, to strengthen the disarmed people and to defend the country and to bring the efforts of the Allied Powers for a final victory and a final peace as early and as definitely as possible. Let Sir Nazimuddin use his undoubted influence, his power, his abilities in this cause. I am willing to follow him although I know he is not willing to follow me. I have no objection to follow him. Let him take up the standard and I will follow that standard. I know that it is a time when we must not stick to personal quarrels. Sir, I will make that offer to Sir Nazimuddin. I am willing to follow him, but he is not willing to follow me.

**Dr. NALINAKSHA SANYAL:** On a point of personal explanation, Sir. We are not concerned either with the statement of Sir Nazimuddin raising certain issues or with the reply by the Hon'ble the Leader of the House. We do not want to take either too seriously. What we want to take interest in is to take a serious note of the arrogation by a certain section of the House of the name of the Congress Parliamentary Party——

**Mr. ATUL KRISHNA GHOSE:** On a point of order, Sir. Is it a personal explanation? He definitely gave us to understand that he was going to speak on a personal explanation. But is it a personal explanation?

**Mr. NIHARENDU DUTTA MAZUMDAR:** On a point of order, Sir——

**Dr. NALINAKSHA SANYAL:** Sir, the circumstances under which——

**Mr. DEPUTY SPEAKER:** Dr. Sanyal, he is raising a point of order.

**Dr. NALINAKSHA SANYAL:** Sir, the point of personal explanation cannot be yielded. He can raise a point of order after the point of personal explanation has been finished.

**Mr. DEPUTY SPEAKER:** Dr. Sanyal, please sit down.

**Mr. NIHARENDU DUTTA MAZUMDAR:** Sir, my point of order is this. We have just heard the Leader of the House——

**Dr. NALINAKSHA SANYAL:** Sir, whom did you allow to raise the point of order? I think you allowed Mr. Ghose to raise the point of order.

**Mr. DEPUTY SPEAKER:** I have allowed Mr. Dutta Mazumdar.

**Mr. NIHARENDU DUTTA MAZUMDAR:** Sir, my point of order is this. We have just had a statement from the Hon'ble the Leader of the House——

**Mr. DEPUTY SPEAKER:** What is your point of order?

**Mr. NIHARENDU DUTTA MAZUMDAR:** My point of order is this. Is that statement open to discussion now before the House?

**Mr. DEPUTY SPEAKER:** No, it is not. I have already said that no debate will be allowed on that.

**Dr. NALINAKSHA SANYAL:** Sir, on behalf of the party——

**Babu NARENDRA NARAYAN CHAKRAVARTY:** On a point of order, Sir——

**Mr. DEPUTY SPEAKER:** He is explaining the position on behalf of the party. I hope you will rise one by one.

**Babu NARENDRA NARAYAN CHAKRABARTY:** On a point of order, Sir, ডেপুটী-স্পীকার মহোদয়—আপনার কাছ থেকে এবিষয়ে সিদ্ধান্ত চাই যে ডাক্তার নলিনাক্ষ সান্যাল তাঁর পার্টির তরফ থেকে বলবেন বলেছেন। সেখানে তাঁর ব্যক্তিগত কৈফিয়তের কোন scope আছে কিনা—যে statement মাননীয় মন্ত্রীমহোদয় দিয়েছেন তার পরেও। তাই জানতে চাই।

**Mr. DEPUTY SPEAKER:** Dr. Sanyal is making a statement on behalf of the party to clarify the position of his party.

**Mr. NIHARENDU DUTTA MAZUMDAR:** The statement of the Chief Minister is not open to discussion.

**Mr. SURENDRA NATH BISWAS:** On a point of order, Sir——

**Mr. DEPUTY SPEAKER:** I would request Mr. Biswas to kindly take his seat.

**Mr. SURENDRA NATH BISWAS:** Sir, my point of order is this——

**Mr. DEPUTY SPEAKER:** The point of order cannot be raised now——

**Mr. ATUL KRISHNA GHOSE:** Sir, under the rules—— (Uproar.)

**Mr. DEPUTY SPEAKER:** Order, order, if this sort of uproar continues the only course left to me will be to adjourn the House——

**Dr. NALINAKSHA SANYAL:** The circumstances under which certain members ——

**Mr. DEPUTY SPEAKER:** Order, order When the Chair is on its legs no member should speak. I have permitted Dr. Sanyal to make a brief explanatory statement on behalf of his party I will hear no point of order.

**Dr. NALINAKSHA SANYAL:** Sir, I will not enter into the merits——(Uproar.)

**Mr. DEPUTY SPEAKER:** May I enquire of Mr. Roy whether Dr. Sanyal is speaking on behalf of his party?

**Mr. KIRAN SANKAR ROY:** Sir, the Chief Whip of the Congress Parliamentary Party——

(A voice from the Coalition Benches: Say "Congress Assembly Parliamentary Party.")

Yes. You may yourself call that. I know that fraud has been going on—— (Loud uproar and cries of "withdraw the expression" from the Coalition Benches.)

**Mr. ATUL KRISHNA GHOSE:** Sir, he must withdraw that expression.

**Mr. SASANKA SEKHAR SANYAL:** Whatever statements are made by any party or on behalf of any party we want to make it emphatically clear that we are not going to hear the speech of a member who is speaking as an Agent of the *Statesman* (Uproar). You are only carrying on propaganda——(Renewed uproar.)

(Several members rose to speak.)

**DEPUTY SPEAKER:** Order, order.

**Dr. NALINAKSHA SANYAL:** Sir, I do not want to quarrel with them who to-day—— (Uproar.)

**Mr. DEPUTY SPEAKER:** Dr. Sanyal, you are obstructing the proceedings of the House.

**Mr. KIRAN SANKAR ROY:** Mr. Deputy Speaker, we on this side of the House have no intention of taking any part in this squabble that is going on between the Muslim League and the Forward Bloc. We only want to say that we protest against a section of the members on that side of the House calling themselves Congress members. Congress is an all-India organisation and you cannot have a private organisation and call it Congress. That is the protest which I formally want to make on behalf of the Congress Parliamentary Party.

(A voice from the Coalition Benches: Ad Hoc Congress Party.)

When I am speaking on behalf of the party I want a little courtesy even if you disagree with me. If you show discourtesy we shall also retaliate. Once more, Sir, I formally protest against non-Congressmen calling themselves Congressmen.

(Babu Narendra Narayan Chakrabarty and Mr. Surendra Nath Biswas rose to speak.)

**Mr. DEPUTY SPEAKER:** Order, order. Sir Nazimuddin will speak now.

**Khwaja Sir NAZIMUDDIN:** Sir, I submit to your ruling and I shall not take part in the debate at all. All I have got to say by way of personal explanation with reference to the statements made by the Hon'ble Leader of the House to-day and on the other day is this. Sir, I have been accused of telling untruths and half-truths and particularly a reference has been made to the document which I referred to in my statement the other day. The House will judge who is guilty of

speaking untruths and half-truths. In that statement I made a particular reference to the document that was signed at the house of Mr. J. C. Gupta on the night of 28th November, and I challenge the Hon'ble Leader of the House to produce the document which he has referred to and which is supposed to be in the possession of Mr. Carter. I am certain that he will find that the signatures on that document are dated 3rd December and not 28th November. In the document to which I referred, the signatures were dated 28th November and in support of that, where Mr. Sarat Chandra Bose had signed as Leader of the Forward Bloc——

**The Hon'ble Mr. A. K. FAZLUL HUQ:** No, no.

**Khwaja Sir NAZIMUDDIN:** In support of my statement, I shall only read out to you from what appeared in the official organ of the Government and the Forward Bloc, namely, *Hindusthan Standard*, dated the 29th November. This is what it says:

"It is learnt that at a meeting of the representatives of the various groups in opposition in the Bengal Assembly and the progressive group of the Coalition Ministerialist party on Friday night, it was decided to form a new party to be known as the Progressive Coalition Party in the Assembly under the leadership of the Hon'ble Mr. A. K. Fazlul Huq, the Chief Minister. It is further learnt that this new party will be composed of the progressive group of the Ministerialist Coalition Party, the Krishak Proja Party, the Independent Scheduled Caste Party, the Forward Bloc group of Congressmen and some unattached members."

**Mr. DEPUTY SPEAKER:** I cannot allow any debate on the statement. If you or the Congress Party or any other Group want a debate on the statement, please give notice of a relevant motion and then I shall consider that. Both the statements of the Hon'ble Leader of the Opposition and the Hon'ble Leader of the House will go to the Press. It will be a matter for the members of the House or for the matter of that for the members of the public outside——

**Dr. NALINAKSHA SANYAL:** Will you send the two statements with our observations?

**Mr. DEPUTY SPEAKER:** No.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** If he makes a statement now, then I shall have to make a further statement in reply to that.

**Khwaja Sir NAZIMUDDIN:** I am referring only to one portion——

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir Nazimuddin has absolutely missed my point. I pointed out that day and I am pointing out to-day that the document signed in the house of Mr. J. C. Gupta was signed by Mr. Sarat Chandra Bose not as Leader of the Forward Bloc. That document, Sir Nazimuddin might remember, was referred to at a meeting in the Government House and I got that document from Mr. Manzur Murshed and handed it over to His Excellency. We all saw it and I distinctly remember in that document Mr. Sarat Chandra Bose did not sign as Leader of the Forward Bloc. I asked Mr. Carter to let me have the document, but he could not find it. He has, however, authorised me to state in the House that in that document Mr. Sarat Chandra Bose has not signed as Leader of the Forward Bloc. If that document is found, it will be seen that Mr. Sarat Chandra Bose did not sign as Leader of the Forward Bloc. If I can find that document, it will be produced.

**Mr. H. S. SUHRAWARDY:** That document is either with you or with your nephew.

**Khwaja Sir NAZIMUDDIN:** It is a question of making one statement against another. We need not quarrel over it. I will only ask the Hon'ble Chief Minister to try and see if the document is not with him and not in the Government House.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** It is not with me.

**Mr. H. S. SUHRAWARDY:** No, it is with you.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** You say that it is with me and I say that it is not with me. I handed it over to His Excellency. He read it and handed it over to Mr. Carter. Mr. Carter has misplaced it somewhere. He has told me that he will make a search and find it out.

**Khwaja Sir NAZIMUDDIN:** The document I referred to is the document which he is not authorised to contradict.

Then, Sir, the other day the Hon'ble Chief Minister referred to my frequent dinners with Mr. Arthur Moore. During the last six months, I dined only once with Mr. Arthur Moore and that was in the company of the Hon'ble Dr. Syamaprasad Mookerjee and the Hon'ble Mr. S. K. Basu (The Hon'ble Mr. SANTOSH KUMAR BASU: And!) and Mr. Kiron Sankar Roy.

## DEMAND FOR GRANTS.

### 25—General Administration—Debt Conciliation.

**The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN:** Sir, on the recommendation of the Governor, I beg to move that the demand of Rs. 23,50,000 be granted for expenditure under the head "25—General Administration—Debt Conciliation".

**Maulvi MUHAMMAD ISRAIL:** Mr. Deputy Speaker, Sir, I beg to move that the demand of Rs. 23,50,000 under the head "25—General Administration—Debt Conciliation" be reduced by Rs. 100. The object of this motion is to raise a discussion about the postponement of the instalment of Debt Settlement Boards in view of the acute distress prevailing in the country.

I beg to draw the attention of the Hon'ble Minister to one aspect of the case. With regard to recovery of amounts included in an award, it has been provided under section 28(*1*) of the Bengal Agricultural Debtors Act: "If by the date fixed the debtor fails to pay any amount payable under an award such amount shall be recoverable as a public demand on application made within the prescribed period by a creditor to whom the amount is due."

There are several lacunae or defects in this particular section and also in the rules framed thereunder. There is nothing in the section or in the rule to give any notice to the certificate debtor at the time of filing certificate against that debtor.

Rule 63 provides: "An application by a creditor under sub-section (*1*) of section 28 for the recovery of an amount payable under an award shall be made—(*a*) within 60 days of the date when the amount was payable or within 30 days of the date of an order by a certificate officer rejecting an application by a debtor for time under sub-section (*2*) of such section whichever is later; (*b*) within 60 days of the date fixed for payment by the Certificate Officer, if time is allowed by him.. . and rule 64 says that a creditor who applies for the recovery of an amount under sub-section (*1*) of section 28 shall give the following particulars.

Here it has been specifically stated that the application should contain the number and year of the proceedings in which the award was made, the date of the award and the name of the Board making the award and also the time at which the amount which the debtor has failed to pay was payable. Sir, in every case of default on the part of the debtor, as soon as an application is made by the creditor in a civil court or a revenue court, a notice is at once served on the debtor that the creditor has filed an application to realise his dues which have

become due on account of default. But here under rule 64 there is no procedure or there is no system by which the debtor can have any notice from the creditor. This actually puts the debtor to great inconvenience and disadvantage because the debtor cannot know whether an application has been filed against him. All on a sudden a peon comes to him for seizing his movables. Therefore, I would ask the Hon'ble Minister to see that a notice is served upon the debtor as soon as an application for the recovery of the defaulted instalments is filed.

There is another point to which I would draw the attention of the Hon'ble Minister. The creditor is asked by rule 63 to file an application within sixty days from the date of default of the instalment, and if he does not file an application his case is barred by limitation. So the creditor cannot wait beyond sixty days. Even if there is a possibility of an amicable settlement between the creditor and the debtor to postpone the payment of instalments by one year that settlement cannot be given effect to in view of the provision enunciated in rule 63 because if he does not file his application within sixty days before the Certificate Officer under rule 28(2), the case is barred by limitation. I would ask the Hon'ble Minister to amend the rule and make the period of limitation as one year instead of sixty days so that it would be possible between the debtor and the creditor to amicably settle the debt without coming to a court of law. Section 28(2), says, subject to any rules made under this Act, the Certificate Officer, if satisfied that there is good reason for the failure to pay by the fixed date, may allow time to the debtor within which to pay any amount due. If the Certificate Officer thus allows time, he may, if he thinks fit, further direct that a similar period of time shall be given to the debtor after the time fixed in the award for payment of any other amount payable thereunder, within which to make such other payment, and the award shall be deemed to be modified accordingly, and the rules framed under this section say that time can be allowed on the following considerations, namely, if the debtor or any earning member of his family has suffered from any sickness or injury which has made it impossible for the debtor properly to cultivate his land or has otherwise affected his earnings; if there has been a total or partial failure of crops owing to such causes as flood, cyclone, drought or damage by insects or blight; and if the debtor has suffered from any other exceptional disaster such as serious loss by fire or theft, loss of cattle needed for cultivation owing to accident or disease. Even in such cases, Sir, the Certificate Officer generally does not grant any time till the next harvesting season but only one or two months' time is granted. When the case is adjudicated upon by the Debt Settlement Board the date of payment is fixed at the harvesting time but as soon as an application is filed before the Certificate Officer that officer grants only two or three months' time. I would request the Hon'ble

Minister to see that under section 28(2) instructions are issued to the District Officers to see that the time, if granted, must be granted till the next harvesting season so that the cultivator may be in a position to pay off his defaulted instalments. Then, Sir, there is another matter. The ordinary cultivator has to go to the Certificate Officer incurring an expenditure of about Rs. 6 to Rs. 8. I would request the Hon'ble Minister to see whether an easy method can be devised by which the debtor's incurring this expenditure can be obviated.

Now, Sir, so far as the selection of the personnel of the Co-operative Debt Settlement Boards is concerned, the Chairman is generally an Inspector of Co-operative Societies and two or three members are taken from the share-holders of Central Banks and one or two from the members of ordinary village societies. So far as the village society members are concerned, they seldom come to the Board's meetings and the decision is generally taken in the Board consisting of the Inspector of Co-operative Societies as Chairman and two or three share-holders of Central Banks. That being so, Sir, the interests of the debtors are generally overlooked, but the interests of the Central Bank concerned are always in the minds of the members of such Boards.

**Mr. DEPUTY SPEAKER:** As the time of the Assembly fixed for this demand is going to be over, I will now ask the Hon'ble Minister in charge to make a reply after which I shall put the motions to vote.

**Dr. NALINAKSHA SANYAL:** The time of the House has been taken on extraneous matters and this subject has not been given its due time. We can sit till 12 o'clock.

**Mr. DEPUTY SPEAKER:** If it is the desire of the House to sit till 12 o'clock I have no objection. I shall first consult the Leader of the Opposition.

**Khan Bahadur MOHAMMED ALI:** In the absence of our leader, may I tell you, Sir, that we are prepared to sit till 12 o'clock.

**Mr. C. MORGAN:** We also have no objection to sit till 12 o'clock.

**Mr. P. BANERJI:** Sir, I beg to move that the demand of Rs. 23,50,000 for expenditure under the head "25—General Administration—Debt Conciliation" be reduced by Rs. 100. The object of the motion is to raise a discussion about the unsatisfactory and inefficient functioning of the Boards.

Sir, these two departments of Co-operation and Conciliation are like twin sisters and one cannot do without the other. When the Bengal Agricultural Debtors Act was passed in 1935, I remarked that

there were so many defects in the Bill that a comprehensive measure of this character should be brought in if the Government wanted to provide for the relief of the agricultural debtors in Bengal. Particularly, Sir, there was another reference by another speaker. It reminds us of the fact that without the definition of the term "agricultural debtor" the measure cannot be a satisfactory one. Now, Sir, after that in July, 1940, there were certain modifications, but still we maintain that in order to work efficiently and satisfactorily further modifications are also necessary.

Now, Sir, we have before us the report of the Land Revenue Commission, Bengal. At page 348 of volume IV of the said report, a reference has been made by many leaders of public opinion and also by high Government officials. I have it on the authority of Mr. Townend, the Divisional Commissioner of Burdwan, who says, "Debt Settlement Boards have been of very little practical help to the cultivators. On the contrary, they have served to render rural credit shy and almost unavailable and made the agriculturists' condition worse than before". He further goes on to say "I need hardly say that the tendency to defraud creditors is bound up with the working of the Agricultural Debtors Act. These tendencies are two in number and they are symptoms of one disease, which at bottom is nothing more or less than dishonesty—a tendency to defraud landlords by withholding rent and a tendency to defraud creditors by withholding payment of debts". He further gives a long list of suggestions in which he has made the interesting observation that on account of the term "agricultural debtor" not being defined, the whole difficulty has arisen for this reason that the application of any one who applies to such boards is accepted, no matter what is defined in the Act and whether he is an agriculturist or not. It is true that there have been certain amendments of the term "agriculture", but there are debtors or even creditors who have not taken to this sort of agriculture including horticulture or anything of the sort. They are men of other spheres of life and have nothing to do with agriculture. It is for this reason that all sorts of corruption have arisen in the department because they are naturally big people and they harass these debtors—these poor agriculturists—by postponing the cases. It must be within the knowledge of the Hon'ble Minister that there are some cases extending over 4 years. I have got some personal experience in this respect and I know of cases in which the final decision, that is the award, has not been given even now although they were filed in 1938.

Now, the object was to give immediate relief to the agricultural debtors of Bengal in respect of their indebtedness. But such dilatory methods are adopted by the members of boards that relief is denied to them.

The Hon'ble Minister has given a very sympathetic reply and he has spoken very frankly and I think that he means to do something in this direction. The best thing would be that either these boards should be reorganised—some of them have already been reorganised—with better types of men who can give quick decision or that section 3 should be altogether abolished and under that section Government can provide for an officer and an officer can take up the work. I think these are the only ways of solving the problem very quickly.

Sir, with these words I move my motion.

**Khan Bahadur Maulvi AULAD HOSSAIN KHAN:** Sir, I beg to move that the demand of Rs. 23,50,000 for expenditure under the head "25—General Administration—Debt Conciliation" be reduced by Rs. 100. The object of the motion is to raise a discussion about the realisation of defaulted instalment of the Debt Settlement Boards by certificate procedure.

Sir, although the Bengal Agricultural Debtors Act was passed in 1935, debt settlement boards were not established before 1936 and in some cases in 1937 and 1938. The result is that in the meantime lands of many agriculturist debtors were sold in execution of decrees and passed into the hands of *mahajans*. In order to give relief to these debtors, an amendment of the Act was passed by the Legislature, but owing to the dilatory process of this Government effect is not being given to the same and as a result poor agriculturists have been suffering much. I invite attention of the Hon'ble Minister to see that it comes into force all at once.

There is provision under section 22 of the Bengal Agricultural Debtors Act to give relief to debtors whose debts cannot be reduced under section 19 of the said Act to an amount which they are able to pay back within 20 years and the debtors are fit persons to be given the benefit of being declared insolvents. But unfortunately there is hardly any board which has been invested with such a power. Such power should be given immediately at least to every special board, if not to all boards.

Sir, according to rules, *mahajans* are required to pay half the court fees but they hardly pay their share resulting in harassment to the poor debtors who in many cases have to pay the entire court fees. This rule should be amended so that creditors may be forced to pay their quota of the prescribed court fees.

Boards are not authorised to take up any case when the aggregate of the debt exceeds Rs. 5,000 without referring to the District Magistrate. This proceure should be stopped at once.

Members of boards are nowadays being appointed on party lines without considering the question of efficiency or fitness.

Again there is a move on the part of the Government to deceive the public and capture their imagination. The proposal of the Government for extending the terms of the Bengal Agricultural Debtors Act for two years is merely an eye-wash. During the five years of the life-time of any Board there will be many agriculturist debtors within its jurisdiction who will not have come forward for relief from their debts. Before putting into operation all the amendments already passed by the Legislature, Government have no justification to rush forward for further amendments. Moreover, it is too late for the Government to come forward for extension of the Act as many of the boards have by this time been closed down. If the Government really mean to do any good to the people, they must at once put into operation all the provisions of the Act.

**Mr. ISWAR DAS JALAN:** Sir, I beg to move that the demand of Rs. 23,50,000 for expenditure under the head "25—General Administration—Debt Conciliation" be reduced by Rs. 100. The object of the motion is to discuss the iniquitous, inefficient and dilatory administration of the Debt Conciliation Boards and the policy of Government with regard to the debt conciliations.

Sir, I do not wish to inflict a long speech at this fag-end of the day. The only thing that I wish to say is this that in this House we have discussed this question times without number. We have found that on account of the policy of the past Government the credit of this province has received a serious set-back and there is a very large volume of opinion that the Agricultural Debtors Act has failed to fulfil the purpose for which it was passed. There is no doubt about the fact that a large number of debtors have got some relief as a result of the debt settlement boards But the fact stands that the policy which was inaugurated by the past Government has not fulfilled the purpose for which it was inaugurated in this province. I shall, therefore, without going into the details of the working of the Act draw the attention of the Hon'ble Minister to the fact that I understand that the life of the Act is most probably going to be extended beyond the limit for which it was passed, but before extending the time, the Hon'ble Minister will consider the advisability of appointing a committee of enquiry to find out as to how far the Act has served its purpose.

Sir, with these words, I commend my motion to the acceptance of the House.

**Mr. DHIRENDRA NATH DATTA:** Sir, I beg to move that the demand of Rs. 23,50,000 for expenditure under the head "25—General Administration—Debt Conciliation" be reduced by Rs. 100. The object of the motion is to raise a discussion about the policy in the matter of constitution of the Debt Settlement Boards and its working.

Mr. Deputy Speaker, Sir, it is impossible to make a speech now but I want to draw the attention of the Hon'ble Minister to certain facts with regard to the constitution of the boards.

If we carefully analyse the provisions of this Act, we find that it was mainly intended for the benefit of the creditors as well as for the benefit of the debtors. Really the object of the Act was to bring about a settlement between the creditors and the debtors. And with that object in view it was passed. The object of scaling down the debts or reducing the debts was the main purpose for which this Act was passed. But it is an open secret, Sir, that most of the Boards, constituted as they are, are not functioning well. They are corrupt to say the least. Still the work must be carried on with these boards. It is absolutely necessary that Government should try to make rules with regard to constitution of boards in a different way. May I suggest to the Hon'ble Minister that the boards should really consist of one executive or judicial officer who has got experience of the working of this Act, one member of the union board or President of a union board and one non-official member nominated by the board? The board should consist of three persons and they must decide these cases very speedily. It is a well known fact that cases instituted in the year 1937 are still pending. So, the very object of the Act has been frustrated by this delay.

Then, Sir, I shall refer to certain other facts. By section 40A of the Debt Settlement Board Act, District Judge has been vested with the power of revision and has got jurisdiction to hear appeals against the decisions of the lower appellate courts. Though the District Judge has got power of revision, lawyers cannot have an audience before him. It has been found to our great regret that when there is a judgment of the appellate officer, the judgment does not mention general facts. When points are raised before the District Judge, he often interferes with the cases though this discretion ought not to be interfered with, because he has had no opportunity of hearing the lawyers. So, it is necessary if the District Judge is to exercise his revisionary power that the rule should be revised and lawyers should be given an audience before the District Judge.

I want to place certain points before the Hon'ble Minister for consideration. I shall put them in writing and I hope that they will receive due consideration.

(Dr. Nalinaksha Sanyal rose to speak.)

**Mr. DEPUTY SPEAKER:** Order, order. Mr. Morgan.

**Mr. C. MORGAN:** Mr. Deputy Speaker, Sir, I have very little to add to what I said in my speech last year about debt conciliation. My friend who has just sat down—not Dr. Sanyal but Mr. Datta—has

corroborated all that I said last year. Although, Sir, I am informed that some improvement has taken place recently, probably due to certain action taken by the late Minister, Mr. Mullick, the position is still unsatisfactory. The statements I made last year more or less still hold good, and I hope the Hon'ble Minister-in-charge will give his closest attention and supervision to the progress or want of progress, as the case may be, of debt settlement boards.

I notice, Sir, that the *Bengal Weekly* which used to publish various items with regard to debt settlements has now stopped publication. I am very glad to hear that because I thought they were futile.

Sir, with regard to one zemindary of which I know something, I would just like to mention a few figures. The position at the end of 1347 B.S. was that 3,499 fresh cases were instituted during the year. 4,147 cases only were disposed of, and the total number of cases left pending at the end of the year was 4,490. Many such cases have been pending since 1937. The point made by my friend Mr. Datta is that it is inequitable. But the fact is that though cases have been disposed of by the board, the tenant can and does continue to enjoy the lands involved without being obliged to pay any rent at all and the company, I mean the zemindary, is powerless to do anything about it. I hope the Hon'ble Minister will take note of that.

The position is further aggravated by the fact that Government have not apparently issued any clear or definite instruction to the board with the consequence that it did not seem to understand the law which it is called upon to administer. For instance, in many cases the board acted entirely contrary to the law that has been enacted after the 1st January, 1940, for payment of debt or arrears of rent for more years than are permitted under the rules. The Hon'ble Minister will see that great illegality goes on.

Sir, there is the question of amendment of the Bengal Agricultural Debtors Act coming up shortly before the House I shall speak on it when the Bill comes up

**Dr. NALINAKSHA SANYAL:** Sir, I rise only to speak a few words in support of the motion of my esteemed friend Mr. Iswar Das Jalan, and in doing so I shall draw attention to one instance and give unquestionable evidence of how the administration of this enactment is abused.

Sir, a particular gentleman in the city of Calcutta took a large sum of money from one B. N. Sanyal in the year 1921 or 1922. That amount was advanced, when the Bengal National Bank was collapsing, to one of the main agents, namely, Mr. Bhupendra Banerji of great reputation, and his house along with the house of his brothers in Bhowanipur was mortgaged subsequently for that amount of advance.

The amount piled up and somehow or other Mr. Bhupendra Banerji managed to get out and left the mortgage on the shoulders of his brothers. The case came up before a Subordinate Judge of Alipur when these brothers managed to get a stay order from some debt settlement board outside. The stay order was heard by the District Magistrate, and, Sir, it was discovered that these gentlemen had put in the plea that they were agriculturists although they had no agricultural land to speak of, and the income coming out of that property was demonstrably shown by them to be much less than even the rent obtained from the Bhowanipur house. The Magistrate hesitated to accept this gentleman as a debtor. Thereafter some intelligent lawyer put in the plea that his client, Mr. Banerji, was an agriculturist, because he maintained livestock. Sir, it is very interesting. The livestock that these Banerjees were rearing up was nothing more than some Alsatian dogs and peacocks in their Calcutta house, and they showed that from the sale of the Alsatian dogs they got an income of something like Rs. 800 as against about 600 to 700, the income derived as rent of the house. Thereby they demonstrated to the satisfaction of certain officials that they were agriculturists! The Magistrate of 24-Parganas felt very reticent about accepting this gentleman as an agriculturist on the ground that they reared Alsatian dogs in Calcutta and by the sale of those dogs they were getting an income, and he turned down the application. Here the story begins, not ends. These gentlemen happened to have some influence with the officers of the Co-operative Department. It is interesting to note what happened thereafter. The Joint Secretary of the Co-operative Department was approached and he called for an explanation of the District Magistrate as to why he turned down his objection. The District Magistrate sent a very cogent reply to the Joint Secretary and there also he pointed out that it was none of Government's business to intervene, because the Magistrate was the competent authority to decide the matter finally and that it was not a matter in which Government could legally intervene.

It was a decision of the nature of a judicial decision of a Magistrate that the local Government could not alter. But, Sir, the Department had to maintain their *zid* for what weighty reasons we do not know. People talked of many things. There were influential Ministers at the time and certain persons were talking about the influence of Mr. Banerji with some of them. With this wonderful case the Sub-Judge could not proceed. That was because by the order of Government the decision of the Magistrate was superseded and Mr. Banerji had ultimately to be accepted as an agriculturist. Here is an instance in which a sum of nearly Rs. 15,000 is involved with a mortgage on a house in Calcutta. I brought the matter to the notice of the Joint

Secretary and also the Minister concerned but nothing has so far been done. I think that the matter is of great public importance——.

(The member having reached the time-limit resumed his seat.)

**Mr. ABDUR RASCHID MAHMOOD:** Mr. Deputy Speaker, Sir, one hundred and fifty years of British rule demonstrated that the rural Bengal was no more the land of prosperity. The people were over heads and ears in debt. The agriculturists were in rack and ruin and agriculture itself, the mainstay of the province as a whole, was on its way to destruction. The money-lenders ate away the vitals of the nation, and the debts of the agriculturists had accumulated and proved too heavy a burden. In a word, the agriculturists were victims of usury and usurious exactions from the beginning and the money-lenders as a class was a parasitical growth, and the bulk of the society lived in nakedness and starvation. If a grandfather borrowed Rs. 10, he and his successors paid and paid and payment of ten times the original debt left outstanding a debt of Rs. 500 more. In such a contingency moratorium was the proper word but the legislators of Bengal thought it wise to adopt half-hearted measures. Sir Azizul Haque initiated the Bengal Money-lenders Act and Sir Nazimuddin, the Bengal Agricultural Debtors Act. The latter was in the archives of the Bengal Secretariat for long, till, on the advent of the Provincial Autonomy and consequential demand of the rural folk the Act came into operation in 1937. The Act was a half-hearted measure and its enforcement was made in a half-hearted way.

The Boards were constituted by the powers that be and the local officers' selection of members was and is yet on wrong lines. The Boards were generally of anti-debtor disposition.

Even after 5 years it is seen that special powers are not available to the ordinary Boards. In the absence of consent of the *mahajans*, the debts cannot be settled and cases are kept hanging and pending to the disadvantage of all concerned. Disposals are, therefore, so few and far between. It is now high time that all the Board should enjoy special powers under the Act.

In cases of debts of over Rs. 25,000 the benefits of the Act are not available and debts of Rs. 5,000 to Rs. 25,000 require the previous sanction of the District Magistrate on a question of fact whether the applicant is actually an agriculturist. As ill-luck would have it, the District Magistrate sits in the headquarters of the district and any good lawyer carries the day before him. His personal inclination is of a man beyond the reach of want; he has a mind not in sympathy with the poor. The result is disaster in many cases. I hope the rules shall undergo change all at once in favour of the debtors.

(The member having reached the time-limit resumed his seat.)

**Mr. SYED MUSTAGAWSAL HAQUE:** Mr. Deputy Speaker, Sir, I want to say only a few words on the motion under discussion in order to draw the attention of the Hon'ble Minister to the wide extent of corruption prevalent in the Department. The administration of this Department by the past Cabinet was extremely disappointing. The Hon'ble Minister who was in charge of this Department was a man hailing from Khulna and it is with deep regret that I say that this gentleman used to interfere very much. Sometimes he used to turn down the recommendations of the Subdivisional Officers and even the District Magistrate. He was freely charged with nepotism and favouritism. I shall give some instances to show to the House how the Hon'ble Minister used to interfere in the matter. All the officers of the Co-operative Department and Debt Settlement Boards were relations of the Hon'ble Minister who were acting as his local agents in the districts. If the Hon'ble Minister who is now in charge looks into the papers he will find the extent of the corruption, and the nature of the undue interference by the then Minister. For the Kaitala Debt Settlement Board in the Bagerhat subdivision of the Khulna district, the District Magistrate recommended one Maulvi Sultan Ali who is an under-graduate but the then Hon'ble Minister interfered and appointed one *pundit* of a lower primary school. Mr. Sultan Ali has been the President of the Union Board for the last 20 years and has been held in great respect in the locality. In spite of the recommendation of the District Magistrate, the then Hon'ble Minister interfered and appointed the *pathshala pundit* against whom the Hon'ble Minister knew serious allegations had been made.

(The member having reached the time-limit resumed his seat.)

## Point of Order.

**Dr. NALINAKSHA SANYAL:** On a point of order, Sir. Rule 12, sub-rule (*viii*), says that no member can make any personal charge against any other member, but in the course of to-day's debate some mean insinuations and unjustified fulminations about myself and other members of this House have been made. I would request you either to have those expressions withdrawn or to have the matters expunged or to direct the Press to withhold publication of those matters.

**Mr. DEPUTY SPEAKER:** I will first look into the official reports to see what were the expressions used. As a matter of fact I could not hear many of the expressions that were used by many of the members.

**Mr. SYED BADRUDDUJA:** May I submit, Sir, that the leader of the official Congress party used the word "fraud" against the leader of this party?

**Mr. DEPUTY SPEAKER:** I will examine the official proceedings and if I find that these expressions have been really used, I will not allow them to go to the Press.

**Mr. SASANKA SEKHAR SANYAL:** If you, Sir, really find that some of the statements are objectionable, I would ask you not to take your decision without allowing the House a full opportunity to explain the position. It is extremely unfortunate that I have made certain statements for which I am prepared to take the fullest responsibility. But if you now decide that this should not go to the Press I submit that it will not be fair to us.

**Mr. DEPUTY SPEAKER:** It is impossible for me to solve a hypothetical proposition. Let me first see what words were actually used.

**Dr. NALINAKSHA SANYAL:** My submission is very simple, Sir——

**Mr. SASANKA SEKHAR SANYAL:** On a point of order, Sir. The matter is very serious——

**Dr. NALINAKSHA SANYAL:** We have not said anything against any particular individuals but——

**Mr. DEPUTY SPEAKER:** I cannot say anything until I see the official proceedings.

**Dr. NALINAKSHA SANYAL:** Sir, my point of order does not relate to the official proceedings and I do not care to see official proceedings if the official proceedings are as they are. No member of this House is entitled to speak anything making a personal charge against any individual member which would come under rule 12 (*viii*) of the Assembly Procedure Rules

**Mr. DEPUTY SPEAKER:** I admit that this rule is very clear but I will have to see the actual expressions used by the different members.

**Dr. NALINAKSHA SANYAL:** But, Sir, I have been personally charged as being an agent of the *Statesman* but you know, Sir, that it was I who have been instrumental in penalising the *Statesman* only the other day. It is a vile insinuation and an unjustifiable fulmination even when made by a time-serving cousin of mine.

**Mr. DEPUTY SPEAKER:** I am not prepared to go into this question at this stage. I would now ask Khan Bahadur Hashem Ali Khan to reply to the debate on the Debt Conciliation Budget.

## DEMAND FOR GRANTS.

### 25—General Administration—Debt Conciliation.

**The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN:** Sir, I offer my sincerest thanks to my honourable friends for their healthy comments and constructive suggestions for the good administration of this department.

Sir, as for the constitution of the Debt Settlement Boards—both Special and Ordinary Boards—I want to say that these Boards are constituted by the District Officers on the report of the Subdivisional Officer and in consultation with the Chairman of the District Board and the local M.L.A.'s, and as far as possible only honest men are taken on the Board. But whenever it is found that any particular Board——.

**Mr. DHIRENDRA NATH DATTA:** All local M.L.A.'s are not necessarily consulted.

**The Hon'ble Khan Bahadur Maulvi HASHEM ALI KHAN:** If that is so, I will see that they are consulted.

As I was saying, Sir, if any particular Board does not function properly and fairly and we get a report from the Divisional Commissioner to that effect, then that particular Board is reconstituted even now. If there is any complaint against any particular member, then that member is also removed from the Board. We are trying to improve the personnel of the Board by various means, and there are certain powers under section 17(*1*)(*b*)(*c*) which are conferred upon a Board that functions properly and fairly. So in various ways Government are trying to improve the workings of the Board and for reconstitution of the Board changing the personnel in various aspects. Whenever any complaint is received against any particular Board or member, so far as I am concerned, I take action to come to a definite decision as to the truth or falsity of the allegation. As soon as allegations are found to be true, I take action. Not to speak of others, even if there is a complaint against any officer of the department—serious or otherwise—from any source whatsoever, we at once take action for an enquiry and if we find that really anything has been proved against him we do not hesitate to inflict proper punishment upon that officer.

As regards corruption, I do not deny, Sir, that there is no corruption in this Department as well as in other departments of the Government. But corruptions cannot be removed unless and until the general morale of the people has been improved. In spite of that, Sir, every effort will be made to remove these corruptions as soon as these are brought to the notice of the department.

Then, Sir, as regards the working of the Debt Settlement Boards, I may tell the House that all necessary measures have been adopted for the better working of these Boards. Special officers have to attend at least eight sittings a month of these Boards and the Circle Officer has also to attend at least four sittings a month. Besides that the Deputy Director is touring throughout the province, supervising the work of the various boards and submitting occasional reports to the Government for taking necessary action. It will thus appear that no pains are being spared to improve the working of the department. In the past there were various defects in the work of the Debt Settlement Board, as for instance, several notices on a particular matter were served at certain intervals. But after the amendment of 1940 these defects have been removed and notices are now simultaneously served out. Now the payments of court-fees and other fees are not demanded before the disposal of the cases. The Certificate Officers are realising the court-fees, etc Every measure has been taken to have a quick and speedy disposal of the cases. Cases are not now being delayed for more than six months or a year and that is also for certain special causes and reasons. But as soon as those causes are removed, the cases are at once disposed of. I have issued instructions to various Debt Settlement Boards to try to dispose of cases in six months as far as possible, and that is being done.

Then, Sir, as regards the question of giving time to the defaulters for payment of arrear instalments that has been raised by my friend Mr. Israil, I may tell him that there are provisions in the Act for giving time to the defaulting debtors and, as such, time is being given to them. We are issuing instructions to the Certificate Officers to extend the time of payment in cases where there is scarcity or acute distress on account of flood or otherwise. But as regards my friend's suggestion to extend the time till the next harvest time the difficulty is that by that time another instalment may fall due and the debtor will be in a great difficulty to pay two instalments together. That is the reason why the time is so extended that payment may be made as early as possible.

Then, Sir, as for the suspension of the instalment or the exemption from payment of instalment, I submit that these are debts not due to the Government but due to the private creditor. I think the whole House will agree with me that the Government should not adopt any such measure by which the private creditor may be deprived of his dues. So whatever facilities can be given to the debtor for payment of his debt are being given and Certificate Officers have been instructed to give those facilities.

Now, as to the extension of time-limit from 2 months or 60 days to one year, I think my friends will agree with me that this will increase his indebtedness rather than decrease it if one year is given. Because

after the lapse of one year he will have to pay another debt and thus debts will be doubled. So for the sake of policy and in the interest of the general public time-limit should be limited to 60 days and should not be extended to one year or more than that.

Then my friend Mr. P. Banerji referred to a certain statement by Mr. Townend.

(The Hon'ble Minister having reached the time-limit resumed his seat.)

The motion of Maulvi Muhammad Israil that the demand of Rs. 23,50,000 for expenditure under the head "25—General Administration—Debt Conciliation" be reduced by Rs. 100 was then put and lost.

The motion of Mr. P. Banerji that the demand of Rs. 23,50,000 for expenditure under the head "25—General Administration—Debt Conciliation" be reduced by Rs. 100 was then put and lost.

The motion of Khan Bahadur Maulvi Aulad Hossain Khan that the demand of Rs. 23,50,000 for expenditure under the head "25—General Administration—Debt Conciliation" be reduced by Rs. 100 was then put and lost.

The motion of Mr. Iswar Das Jalan that the demand of Rs. 23,50,000 for expenditure under the head "25—General Administration—Debt Conciliation" be reduced by Rs. 100 was then put and lost.

The motion of Mr. Dhirendra Nath Datta that the demand of Rs. 23,50,000 for expenditure under the head "25—General Administration—Debt Conciliation" be reduced by Rs. 100 was then put and lost.

The motion of the Hon'ble Khan Bahadur Maulvi Hashem Ali Khan that the demand of Rs. 23,50,000 be granted for expenditure under the head "25—General Administration—Debt Conciliation" was then put and agreed to.

### Statement by the Leader of the House.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** Sir, may I have your leave to make a statement. Sir, in the course of my statement I referred to a document which had been signed by Mr. Sarat Chandra Bose as the leader of what he called the "Bengal Congress Parliamentary Party". By this I do not enter into the dispute that still exists between the two wings of the Congress in this House, but, Sir, the point that I wish to make out is this. I maintained on a previous occasion and I maintain today that Mr. Sarat Chandra Bose did not sign as the leader of the Forward Bloc. (Khan Bahadur MOHAMMED ALI: What is the date of this document?) I will make a full statement and I appeal to Sir Nazimuddin and to Mr. Suhrawardy, who were members of the Cabinet at that time, to correct me if I am mistaken.

Sir, the meeting was held at the house of Mr. J. C. Gupta—only one meeting and one meeting only. At that meeting a document was drawn up by Mr. Sarat Chandra Bose himself, signed by Mr. Sarat Chandra Bose, Mr. Shamsuddin Ahmed, Khan Bahadur Hashemali Khan and Mr. Hem Chandra Naskar. To that document my friend Dr. Syamaprasad Mookerjee had not then given his signature. I was asked to accept the leadership of the party which had been formed by the said document. I refused for two reasons—because I had not then made up my mind and because this document was not complete. That was on the 27th of November. Either on the 28th or on the 29th November—that will appear from the papers to which Sir Nazimuddin has referred—a news was published and there was a Cabinet meeting at Government House on that date. It was alleged that I had accepted the leadership of the party. I denied and said that I had not put one single scratch on that paper. Some of my colleagues insisted that what I was telling was not correct. I asked His Excellency to tell Mr. Carter to get that document from Mr. Murshed. A telephone message was sent and that document was brought up and it was found that there was nothing in my handwriting. Later on, it was on the 3rd of December—when the day previous a decision had been taken to form a separate party, viz., Muslim League Parliamentary Party—that I decided to accept the leadership of the Progressive Coalition Party. Dr. Syamaprasad Mookerjee put his signature and then I put my signature. The point of importance, Sir, is this. The document is here and Mr. Sarat Chandra Bose signed as follows:

"Sarat Chandra Bose, President and Leader,
Bengal Congress Parliamentary Party,
consisting of 28 members."

(The document was handed over to Mr. Deputy Speaker.)

Sir, I have got one word more to add. I wanted to get this document on that day. I was told the document was not to be found. I telephoned and I found that Mr. Carter was not in Calcutta, but I heard the document was available and I, therefore, telephoned to Mr. Baker and I sent Mr. Murshed and he has got it from Mr. Baker himself.

**Mr. SASANKA SEKHAR SANYAL:** Mr. Deputy Speaker, in the meantime may we ascertain if Mr. J. C. Gupta, Dr. Sanyal and members of his party were also a party to that document?

**Dr. NALINAKSHA SANYAL:** As my name has been mentioned I think I have a right to give a personal explanation.

**Mr. DEPUTY SPEAKER:** But be brief.

**Dr. NALINAKSHA SANYAL:** Sir, I was a member present in the house of Mr. J. C. Gupta amongst others including the Hon'ble Mr. A. K. Fazlul Huq and in presence of myself and Mr. Gupta we saw several members signing on the first page of that document. Below the signature that appeared on that page headed by Mr. Sarat Chandra Bose there was no description of himself as President and Leader of the Bengal Congress Parliamentary Party. I was myself present there, Sir.

**Khwaja Sir NAZIMUDDIN:** Sir, I would ask you to refer to what has been taken down by your reporters when the Hon'ble Chief Minister was making a statement when I made a statement in reply to that. In that statement he accepted the fact that there were two documents——

**The Hon'ble Mr. A. K. FAZLUL HUQ:** No, no. May I make that point clear? Sir Nazimuddin is evidently mistaken. Not two documents signed by Mr. Sarat Chandra Bose The only thing that Mr. Sarat Chandra Bose signed as Leader of the Party was this document. The other document with which I had no concern was the Government communiqué which described Mr. Sarat Chandra Bose as the Leader of the Forward Bloc. Mr. Sarat Chandra Bose wrote back to say that there was nothing like Leader of the Forward Bloc in the Assembly, but there was only the Bengal Congress Parliamentary Party.

**Mr. H. S. SUHRAWARDY:** That was in September.

**Khwaja Sir NAZIMUDDIN:** I will only refer to what has been taken down by your reporters. I made it clear that it was agreed that there were two documents. (Cries of "No, no" from the Coalition Benches.) This is my first point. Only an hour ago it was accepted by the Chief Minister that there were two documents. The second thing is that I would like to draw special attention to this document. We are definitely of opinion that that is not the same as this. On that day when it was signed none of the gentlemen put any date on this document and the only date that was put when the Chief Minister signed was 3 p.m. It is obvious that the date was put by the last signatory at the time when this document was signed by everybody and here I am not absolutely certain, but if the contemporary newspapers are looked into, it will be found that there was another meeting at which these signatures were taken and where the Chief Minister signed.

Secondly, Sir, there is another point. We were told that this document was left with Mr. Carter on the 29th. Is the Chief Minister prepared to state that for the purpose of signature it was obtained

from Mr. Carter? Dr. Syamaprasad Mookerjee's signature was obtained on that and then the Chief Minister signed on that. That is a very pertinent point. Just now he has said that it was left with Mr. Carter and it was obtained back here.

The third thing is that on that day Khan Bahadur Hashem Ali Khan signed on that document to which I am referring and not on this. The number of members of his party was nil. No number was given. Forty-two was put down there. So, Sir, from these it is apparent that threr were two documents and this is not the one which I referred to. Dr. Nalinaksha Sanyal and some other gentlemen who were present at the house of Mr. J. C. Gupta confidentially told me this and how is it that they are denying this now? Everybody knows that what I am saying is correct—(uproar).

**Mr. DEPUTY SPEAKER:** Order, order.

**The Hon'ble Mr. A. K. FAZLUL HUQ:** May I remind Sir Nazimuddin and Mr Suhrawardy what happened at that Cabinet meeting? Am I not correct in saying that when that document was brought up it is true that Khan Bahadur Hashem Ali Khan left a blank with regard to the number of members, but that document did not bear any stroke from my pen? As a matter of fact I got this document and then Khan Bahadur Hashem Ali Khan put down 42. Then Dr. Syamaprasad Mookerjee signed and I signed It is Sir Nazimuddin and members of his party to whom I am appealing (Interruptions.) It is no use contradicting me. I maintain, Sir, that this is the only document about which I know. This is the only document drawn up in the house of Mr J. C. Gupta about which I know If there is any other document I do not know. So far as this document is concerned, it is evident that Mr. Sarat Chandra Bose has signed not as President of the Forward Bloc but as Leader of the Congress Party.

## Adjournment.

It being 12-30 p.m.—

The House was adjourned till 8-30 a.m. on Wednesday, the 25th March, 1942, at the Assembly House, Calcutta.

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37—Education—General: pp. 140-142.

29—Police: pp. 298-301.

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